

Law Enforcement News

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It's unanimous: crime rose in 1988

But UCR and Crime Survey differ on degree and nature of change

The number of serious crimes reported to the nation's law enforcement agencies rose by 3 percent in 1988 over the preceding year, according to preliminary FBI Uniform Crime Reporting statistics released on April 23.

The release of the UCR figures followed by two weeks the issuance of preliminary results from the 1988 National Crime Survey by the Bureau of Justice Statistics. That survey showed an overall increase of 1.8 percent in personal and household crime in the United States.

According to the UCR data, both the violent crime and property crime categories registered aggregate increases, of 5 percent and 2 percent, respectively. Of the violent crimes, the largest increase was in aggravated assaults, which increased by 7 percent. Robberies were up by 4 percent, murder by 3 percent, and forcible rape by 1 percent.

The rise in property crimes was fueled by an 11-percent increase in motor vehicle theft. Reports of larceny-theft rose 2 percent, and arson increased 1 percent. The only property crime to show a decrease was burglary, with a 1-percent drop in the number of crimes reported.

Three of the four U.S. geographic regions showed increases in the 1988 Crime Index Total compared to 1987 figures. Both the Northeastern and Southern regions reported 4-percent increases, and the Western states registered a 3-percent rise. The Midwestern states showed no change.

Smaller Cities Feel the Brunt

FBI figures showed that cities with populations over 50,000 recorded a 4-percent increase in Crime Index offenses reported to police. Cities outside metropolitan areas, along with suburban

PER CAPITA CRIME, 1988

The top 20 cities over 100,000 population, based on reported major crimes per 1,000 people. (Source: USA Today)

City	Rate per 1,000
1. Miami Beach, Fla.	176
2. Atlanta, Ga.	175
3. Portland, Ore.	175
4. Ft. Worth, Tex.	172
5. Ft. Lauderdale, Fla.	168
6. Dallas, Tex.	167
7. New Haven, Conn.	153
8. Flint, Mich.	144
9. Seattle, Wash.	144
10. Tacoma, Wash.	143
11. Hartford, Conn.	143
12. Columbia, S.C.	137
13. St. Louis, Mo.	135
14. Salt Lake City, Utah	134
15. Newark, N.J.	134
16. Jacksonville, Fla.	131
17. Orlando, Fla.	131
18. Waco, Tex.	129
19. Tucson, Ariz.	127
20. Berkeley, Calif.	127

and rural areas, all showed 1-percent increases.

An analysis of the UCR figures by USA Today said that violent crime is rising three times faster in small cities than in large ones. It said that murder, rape, aggravated assault and robbery jumped an average 8.2 percent in cities of 100,000 to 250,000 population, compared to 2.5 percent in cities with populations over 500,000. The larger cities, however, still have a violent crime rate that runs 57 percent higher than small cities.

According to the newspaper's analysis:

¶ Atlanta is now the United States' most violent city, with 3,576 violent crimes per 100,000 people — a 23-percent increase over 1987.

¶ The least violent city was Cedar Rapids, Iowa, with 146 violent crimes committed per 100,000 persons during 1988.

¶ The homicide rate in Washington, D.C., led the nation, with 59 per 100,000 population.

¶ More assaults per capita took

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Policing's ethical dilemma: to pursue or not to pursue

By Herbert Whetsell

It's early Saturday morning and Officer Doright is on patrol. He spots a vehicle coming out of a bar parking lot without its lights on. Officer Doright follows the car and observes it cross the center line several times. It is apparent to the officer that the subject is driving drunk. Doright activates his blue light and siren and attempts to stop the vehicle. The suspect, upon seeing the blue light, turns his headlights on and begins speeding away.

Should the officer pursue the suspect and risk injury to himself, the suspect, or an innocent bystander, or should he let a law-breaker go free?

This is a dilemma facing police officers on a daily basis. The first day a rookie officer dons a badge and gun he takes an oath "To Protect and Serve" the public. With this concept of law enforcement etched in his mind, many an officer feels he should pursue for all offenses whether it be speeding or armed robbery. Anything less and the officer is not fulfilling his sworn obligation — or is he? How much risk is society willing to accept in order to accomplish the police mission?

Law enforcement officials have always had a concern for police conduct and police-related shootings, and most departments have strong policies governing this. However, according to the FBI, more people are killed each year by police vehicles than in

police shootings. Moreover, police officers are more likely to injure themselves or others in vehicle pursuits than with firearms. Why is it, then, that departments still have vague and inadequate policies when it comes to vehicle pursuits?

Policy Extremes

In talking to law enforcement administrators throughout the country, one finds pursuit policies ranging from "pursue for everything until you catch the violator" to "no pursuits for any

reason." Both of these policies seem a bit extreme in light of the perceived police function of apprehending criminals and protecting life. The administrators' task is to develop policies that will accomplish both functions with the least risk to the officer or the public.

One of the problems attendant to pursuits is that all traffic devices are ignored while the pursuit is in progress. A criminal trying to elude the officer has no regard for the safety of others.

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Flurry of pursuit accidents sparks second look at policies

Police planners nationwide are taking a second look at policies on pursuit driving, prompted by scores of traffic accidents in 1988 and early 1989 that started out as police chases and ended up claiming the lives of police officers, pedestrians, and traffic violators alike.

Just a sampling of the recent carnage suggests the seriousness with which police agencies are now reassessing high-speed chases:

¶ In Detroit, police officer Vikki Hubbard was killed and her partner, Gary Slappey, was critically injured while on routine patrol March 12 when their squad car was hit broad-

side by a car being chased by another cruiser.

¶ A Huntington Beach, Calif., man fleeing authorities embarked on a two-hour chase over 10 freeways in Los Angeles and Orange counties that ended when he drove his car off a pier into the ocean. Speeds up to 105 mph were reached during the pursuit, which ranged over 150 miles and involved officers from several jurisdictions.

¶ Fifteen people were injured in accidents by a man who commandeered a commuter bus in Philadelphia and led police on a 45-minute chase through three counties. The

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Check-out time:

Turner calls it quits as DC chief

After 32 years with the Washington, D.C., Metropolitan Police Department, Police Chief Maurice T. Turner submitted his retirement papers on April 24, and will step down July 31 from the post he has held since 1981.

"I'm leaving because I've got 32 years in the department and I think there comes a time in everyone's career when they leave, so I'm leaving," Turner told LEN in a recent interview.

Turner has not made public his post-retirement plans, although published reports have been rife with speculation that he may accept a position with national drug policy director William J. Bennett or may run against Mayor Marion Barry in next year's mayoral election.

Turner told LEN he has not been offered a job by Bennett. In

response to questions about a possible run for Mayor, he replied: "I'm a policeman."

"I don't know what I'm going to do with my life after I retire. I want to take a couple of months off and think it over and weigh some job offers," Turner said, adding that he did not wish to make public the nature of the job offers he has received.

Turner reportedly had been at odds with Barry in recent months over the best way to run the Police Department and has repeatedly called for the hiring of hundreds of additional officers to combat the plague of drug trafficking and drug-related violence that has made the capital a focal point of the nation's drug problems.

According to police statistics, by mid-May the District had

recorded 176 homicides, the majority of them drug related. This compares with 114 recorded during the same period in 1988 — a year in which a record-breaking 372 homicides occurred in the city.

Reports of Rift Denied

Barry has been quoted as saying he would fire Turner or any other police official who called for the hiring of more police officers, citing an estimated \$175-million municipal budget deficit. City officials declared a "crime emergency" in late February in an effort to free up to 400 officers assigned to administrative duties for redeployment to street duty one day a week. [See LEN, Feb. 28, 1989.]

But Turner brushed aside

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What They Are Saying:

"We do hope that the new chief, whoever he is, will be aggressive in trying to get the resources we need..."

Gary Hankins, president of the Fraternal Order of Police in Washington, D.C., commenting after the announcement of Chief Maurice Turner's retirement. (5:3)

Around the Nation

Northeast

CONNECTICUT — The three-year-old police pistol range in Greenwich was closed earlier this month after two officers were shown to have high levels of lead in their blood. The police union blamed the problem on poor ventilation.

Hamden Police Chief John Ambrogio was suspended with pay May 18 on charges of insubordination and misconduct, capping a 17-month dispute with Mayor John Carusone. Ambrogio said he'll "see the Mayor in court."

DELAWARE — The Federal Drug Enforcement Administration has begun a cooperative state-Federal surveillance of the state's coastline to check for drug smuggling.

DISTRICT OF COLUMBIA — Mayor Marion Barry has sent emergency legislation to the City Council that would deny bail to people who use a gun in the commission of a felony.

MASSACHUSETTS — Haverhill police Det. Michael Fasulo, the son of Police Chief Daniel Fasulo, was found innocent May 17 of charges that he traded police information to drug dealers for cocaine. Chief Fasulo says his son was set up, and advised him to resign.

A U.S. District Judge ruled May 16 that Lawrence police violated the rights of Maria Ocasio when they took her welfare ID card during a drug arrest. The city began seizing the cards in January as evidence of possible welfare fraud.

NEW YORK — New York City Mayor Edward I. Koch unveiled an election-year budget proposal May 18 that calls for the hiring of 2,206 new police officers. The \$26.6-billion budget also proposes spending \$201 million for the construction of a new police academy.

PENNSYLVANIA — The Town of Chester plans to increase its police force for the first time in more than a decade by 30 percent, or 25 officers, in order to beef up street patrols and fight drugs.

Southeast

ALABAMA — The city of Birmingham defied a national trend last year as reported serious crime dropped by 5 percent. Nationally, reported crime rose by 3 percent. The decrease in Birmingham, which was reflected in

all Part I crime categories except murder and aggravated assault, occurred despite a 34-percent growth in the size of the city through annexation over the past two years.

FLORIDA — Volusia County Sheriff Bob Vogel, a former state trooper who pioneered the use of drug-courier profiles along Interstate 95, has decided to take down a bogus "narcotics inspection" sign along I-95 after incurring the displeasure of Florida Transportation Secretary Kaye Henderson. Deputies stopped and inspected cars that made an abrupt U-turn after seeing the official-looking sign.

Edgardo C. Torres, a two-year veteran of the Florida Highway Patrol, was named Trooper of the Year April 11. Torres was honored for helping to save three women from a car that sank in a flood ditch following heavy rains last September.

GEORGIA — Henry Willis 3d was electrocuted May 18 for the 1978 murder of Ray City Police Chief James E. Giddens. The 29-year-old Giddens, on what was to have been his next-to-last day with the Ray City department, was overpowered by Willis and two other men following a traffic stop. Giddens' body was later found in a Lanier County swamp.

A Brunswick jury ruled May 9 that Lieut. William Kempton acted in self-defense when he fatally shot Grady Steven Branch, who led police on a chase after failing to pay for \$10 in gasoline. Branch was killed after firing shots, including one that wounded Kempton.

MISSISSIPPI — Picayune Police Chief Richie B. Martin resigned May 4, citing health problems.

TENNESSEE — A new county court policy in Knoxville requires convicted drug offenders to name their dealers or face additional jail time for contempt of court.

Prosecutors say the state's proposed new sentencing codes will reduce penalties for many crimes, but they'll support the changes because Gov. Ned McWhorter has promised to increase prison capacity.

Midwest

ILLINOIS — More than 10,000 unionized Chicago police officers will receive a \$1,250 lump-sum payment and a 1-percent increase in base pay following a hard-fought nine-month arbitration battle. The settlement gives the police parity with city firefighters, an outcome that was denounced as "ridiculous" by the police union president.

INDIANA — The City-County

Council in Indianapolis voted 25-3 May 9 against a proposal to ban many semiautomatic weapons.

KENTUCKY — Lexington Mayor Scotty Baealer has recommended the hiring of 16 police officers to expand anti-drug programs and burglary units. The increased hiring is said to cost \$160,000.

MICHIGAN — Gov. James Blanchard has named 24 members to a new council of local, state and federal officials that will coordinate crime-fighting efforts in the state. The council, called Partners Against Crime, includes state Attorney General Frank Kelley, Detroit Police Chief William Hart, Special Agent in Charge Hal Helterhoff of the FBI's Detroit office, and William Coonce of the Drug Enforcement Administration.

Ex-Grand Rapids police officer Clarence Ratliff faces a 15-year sentence following a manslaughter conviction for shooting his estranged wife, District Judge Carol Irons.

OHIO — Maj. Thomas Rice Sr. was named Superintendent of the Ohio Highway Patrol May 18, succeeding Col. Jack Walsh, who was fired after refusing a disciplinary demotion for taking an expense-paid trip to South Africa.

The Cincinnati City Council's finance committee has agreed to spend another \$168,000 on a drug-enforcement program known as Operation Street Corner. The funds will be used to pay overtime for 25 police officers assigned to the special unit. The committee also approved \$30,000 for the Cincinnati Metropolitan Housing Authority to hire off-duty police officers to patrol housing projects.

Plains States

KANSAS — Attorney General Robert Stephan has named Juliene Maska as the state's first victims' rights coordinator. Maska will assist local victim-witness programs and administer a statewide assistance fund.

MISSOURI — Seven teams of law enforcement officers arrested 40 suspects and seized \$75,000 in illegal drugs in raids in Butler County late this month.

MONTANA — FBI agent Bernard F. Huhley of the Bozeman field office was named as an assistant U.S. attorney May 19. He will oversee a new Helena office.

NORTH DAKOTA — A specially trained drug-sniffing dog will begin working for several law en-

forcement agencies in the Fargo area next fall. A fund-raising drive generated \$5,300 to buy the dog and pay for training of the animal and his handler.

The Bismarck Rape Crisis Center says 14 women reported rape in 1988, compared to one case recorded by police. The center blames the difference on the stigma of reporting rapes to the police.

Southwest

COLORADO — State traffic deaths are down by 11 percent so far this year compared to the same period in 1988. The decrease was attributed to increased public awareness of drunken driving and the increased use of safety belts.

Daniel Root has been suspended as the town marshal in DeBeque, but says he will fight misconduct allegations and will not resign. Officials say Root does not have the technical law enforcement knowledge needed for the job.

OKLAHOMA — FBI agents arrested Love County Sheriff Wesley Liddell Jr. and Police Officer Roger Ray Hilton May 18 on charges of conspiracy to commit violence.

Ousted Ottawa County Sheriff Therl Whittle has been reinstated to his job by a county judge, overturning an earlier move by county commissioners. Whittle still faces 50 charges involving embezzlement and mismanagement of public funds.

TEXAS — Starlett Curry, the newly installed Mayor of Conroe, has asked three-year Police Chief Michael Arthur to resign. Arthur has been with the police force for 18 years.

A radar-equipped blimp designed to spot drug smugglers arrived in Marfa on May 25 and will be deployed 20 miles west of the town in mid-July, according to state Rep. Lamar Smith.

Mrs. Glo Stewart, one-time director of the Former Texas Rangers Association Museum in San Antonio, died April 19 at the age of 64. Stewart was eulogized by the head of the FTRA as "difficult to replace and impossible to forget."

UTAH — A new statewide child-abuse task force met for the first time earlier this month and announced plans to streamline the state's system for dealing with child-abuse cases. The state reported a 343-percent increase in child sexual abuse referrals from 1982 through 1987.

Far West

CALIFORNIA — Gov. George Deukmejian has signed into law the nation's first law restricting the sale and possession of assault weapons. After June 1, the guns may only be possessed by those with a special-needs permit. The law also increases penalties for crimes in which assault weapons are used.

The problem-oriented policing program developed in response to drug activity in San Diego was honored May 19 by the National League of Cities as one of the nation's outstanding local drug programs. The NLC also cited drug-crime prevention programs in Fort Lauderdale, Fla., and Berkeley, Calif.

Randy Kraft, who authorities say killed nearly 40 people in three states, was convicted by a Santa Ana jury May 12 of killing 16 young men over a 12-year period. Kraft, who faces the death penalty, was arrested in 1983 after California Highway Patrol officers stopped him for erratic driving and discovered a dead marine in the passenger seat.

Two Hayward police officers beat a blind man with their batons earlier this month after mistaking his collapsible cane for an illegal martial arts weapon. Believing that the man could see their uniforms, the officers did not identify themselves when they asked David St. John to hand over what they believed to be a set of nunchaku sticks. St. John said he thought he was being mugged, and a struggle ensued. Acting Police Chief Dick Dettmer called the incident "very regrettable," and said an investigation would be conducted.

Attorney General John Van de Kamp has proposed building a \$740-million, 8,000-bed no-frills prison camp on unused Federal land in the Mojave Desert. The facility would be used to house drug offenders.

NEVADA — Spurred by a series of downtown fights and a melee between two youth groups, the Reno Police Department has boosted patrols in the casino area from 10 officers to 16.

OREGON — The trial of a defamation suit against Coburg Police Waymon Poole has been delayed after Poole and his wife filed for bankruptcy.

WASHINGTON — An in-patient drug-treatment center for American Indian teenagers from 38 tribes in Washington, Oregon and Idaho is expected to open in Spokane in August.

Colo. lawmen seek to stymie bids for machine-gun permits

Some Colorado law enforcement officials have refused to do the background checks required by the Federal Government on people applying to purchase automatic weapons, prompting accusations that they are taking the law into their own hands.

In Denver, Arapahoe and Larimer counties, the local district attorney, sheriff and police chief refuse to sign background checks, making it impossible for residents to legally obtain automatic weapons. The officials say they won't sign the checks because they're concerned about the growing number of automatic weapons. Denver's assistant district attorney, Chuck Lepley, told the Denver Post, "We have enough firepower within the county and city limits of Denver as it stands."

Although not an advocate of gun control, Larimer County Sheriff Jim Black has signed only two background checks in 10 years. Both were for gun owners he knew well and who stored their automatic firearms in vaults.

"We don't need a machine gun in every garage," Black said.

Gun collectors say officials who refuse to sign background checks are in effect creating their own laws.

"[Their job] is to enforce the law, not to make opinions or interpret the law," said Gil

Angelotti, a gun collector and member of the Firearms Coalition of Colorado.

Weld County Sheriff Ed Jordan said he signs background checks because he doesn't want to encourage a would-be purchaser to get a weapon illegally. "I guess my philosophy is we tend to make things tough for the wrong people," he said. "We

"We have enough firepower within the county and city limits of Denver as it stands."

need to get tough with the criminal."

To legally obtain an automatic weapon, a buyer must pay a \$200 Federal tax. In addition, the Bureau of Alcohol, Tobacco and Firearms requires a local sheriff, police chief or prosecutor to verify he or she has no information indicating the buyer means to use the weapon for any unlawful purposes.

A poll taken in April showed that 73 percent of Denver's registered voters believe automatic and semi-automatic weapons should be banned. Twenty-one percent oppose such a ban and 6 percent are undecided.

Colorado's 4,867 firearms licenses account for less than 2 percent of the national total of 262,511.

Boulder County Undersheriff Al Staehle said his department stopped doing background

checks two years ago when Congress banned the manufacture of machine guns for non-military or non-police use.

"We just decided that the legislative intent of Congress at that point was to clamp down on it," he said.

Arapahoe County Sheriff Patrick Sullivan said he learned a hard lesson several years ago

when he approved a background check on a collector who had no criminal record. The man got intoxicated on New Year's Eve and started firing the weapon at a party.

"The investigation wasn't thorough enough and I got hung out to dry," Sullivan said. He hasn't signed a background check in five years.

Sullivan, an outspoken advocate of legislation restricting assault weapons, also contends that some of the federal taxes paid on an automatic weapon should go to the department for the legwork done on the background check.

"If we have to do this without a fee, then we are diverting people from crime-fighting," he said.

A bill before the state legislature that would have required a \$100 fee to pay for the investigations was defeated recently.

Philly police outposts get smaller and more mobile

Come September, Philadelphia police are going to be out looking for trouble — from the inside of a mobile police trailer they hope will drive drug dealers and other criminals from targeted neighborhoods.

The roving trailer, which will be backed up by communications equipment and community programs and training, will be used to supplement 18 permanent mini-stations already in place in key crime areas throughout the city. The mobile unit will be staffed by four full-time officers, a sergeant and volunteers.

Police will receive a \$200,000 Federal grant to cover the cost of the equipment, Senator John Heinz announced in May. "The purpose of the mobile van is to serve as a deterrent for the drug dealers and the drug buyers, and to rebuild that sense of trust and cooperation in each community," he said. "If this works, we will have found another badly needed tool."

According to police officials, the van will remain at one location for at least three or four months before being moved. During that time, police will visit schools to teach about the danger of drugs, impart crime-prevention techniques, and work with community leaders. By the time the unit is ready to be moved to a new location, officials said, the neighborhood should be able to put its own crime prevention program into place.

Capt. James Donnelly, commander of the 35th District, said his district was chosen as the first site for the van because of a range of problems including burglaries, drugs and abandoned cars and homes.

"These are all the things that are causes for a decline in the quality of life in a neighborhood," Police Inspector John McLees said. He and Don-

nelly designed the program and sought the funding for it.

The van is part of a one-year community policing experiment funded by the Bureau of Justice Assistance. If it is a success, other mobile units may be deployed around the city.

The city's mini-stations, manned by at least two officers, have proved effective in reducing crime and increasing public cooperation in the areas where they're located, police said. Facilities for the mini-stations have been provided by community groups, businesses and other private sources. "The permanent mini-stations are fantastic," Donnelly told the Philadelphia Inquirer.

The van will fill in where there are no permanent mini-stations. According to Donnelly, police would work with other agencies to form a 10-block link of services surrounding the mobile unit.

The mobile unit will serve as "a surprise," said City Councilwoman Marian B. Tasco. "The dope dealers may wake up one morning and see the mini-mobile is there."

NJ reacts to report on bias crime

New Jersey officials have assigned eight state employees to combat discrimination after compiling the state's first full-year statistics on crimes of bias.

Attorney General Peter Perretti Jr. announced the assignments when he released figures compiled by State Police showing that 593 incidents of racial, ethnic or religious bias were reported in 1988.

The figures were compiled
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HUD policy on drug-related eviction may get first field test in East St. Louis

The East St. Louis Housing Authority may become the first in the nation to test a controversial new policy promoted by Housing and Urban Development Secretary Jack Kemp that allows housing authorities to evict tenants who possess or sell drugs.

The East St. Louis authority is moving ahead with four evictions under the policy it adopted early this year. The policy adds a provision to all leases that says if one tenant sells or possesses illegal drugs, all the apartment's occupants may be evicted.

Kemp, whose agency subsidizes and writes regulations for the nation's public housing agencies, has encouraged agencies to enact such a policy. But civil rights groups are expected to oppose the policy, since it allows agencies to evict entire families even if only one is involved with drugs and does not require that the tenant be convicted — or even arrested — before being evicted.

The East St. Louis Housing Authority, which like its counterparts across the country has been plagued with problems related to the use of illegal drugs, was among the first to adopt the policy.

Stephanie A. Stafford, operations director of the company

that runs the housing authority, said the authority plans to move ahead despite controversy surrounding the policy. "We may attract a few lawsuits, but what it will do is provide families with some peace of mind and a decent place to live — that's all they ask," she told the St. Louis Post-Dispatch.

Stafford said the agency would "have a heart" in making eviction decisions, but that its first responsibility was to law-abiding citizens who live in the city's 13 housing projects.

Under Illinois law, tenants who are being evicted can request a hearing in civil court. Stafford said this means that her office must accumulate enough evidence of drug involvement to stand up in the court before issuing an eviction notice.

She said the process will rely on information provided by other residents who are willing to testify at an eviction hearing if necessary. The agency hopes, however, that many tenants will leave voluntarily without appealing to the courts.

"We're still waiting to test this," she said. "We don't know yet how well it's going to work."

Joseph Bartylak, executive director of the Land of Lincoln Legal Assistance Foundation, said this group wants to make

sure that tenants' civil rights aren't violated.

"We don't want to agree to a policy which is going to sacrifice or threaten the rights of law-abiding citizens who might get swept up in some expedited process that might eliminate the due-process safeguards," he said.

Residents of the housing projects expressed support for measures aimed at cracking down on drug use, but worried that under the new policy parents might be punished for activities they could not control. Ethel Sylvester, president of the tenant council in one project, said, "I don't think the parents should be penalized if they're doing all they can with the child. But if not, they should be penalized."

The East St. Louis Housing Authority is also trying other measures to combat crime in the projects. Stafford said she was working with local police to set up a screening process that would enforce rules that public housing be denied to convicted felons.

In addition, the authority has hired private guards to patrol one project troubled by drug use and might use guards in a second problem area, she said. But funds for hiring private guards are limited, she said.

A glimmer of good news for high-crime Denver areas

Crime rates have dropped in four of Denver's five most crime-ridden areas over the past five years, according to statistics released recently by Denver's Safety Office of Policy Analysis.

Steve Browne, head of research for the safety office, told the Rocky Mountain News, "Arrests are up and crimes are down. That's the best of both worlds."

Figures for 1988 showed that Denver's high-crime areas were safer overall than they were in 1984. In the neighborhood with the highest crime rate, Auraria-Lincoln Park, three out of every 10 residents were victims of crime in 1988, compared with four out of 10 in 1984.

But the report also revealed that marked discrepancies still exist between neighborhoods. Residents in the Austria-Lincoln Park neighborhood were 26 times more likely to be victims of crime

than those in the neighborhood with the lowest rate, Lowry Field.

Auraria-Lincoln Park had 316.8 crimes per 1,000 residents, compared to just 12.2 crimes per 1,000 in Lowry Field. The four other top crime areas were Five Points, which held steady at 313.1 crimes per 1,000; and Sun Valley, 280.5; City Park West, 266.1; and North Capitol Hill, 259.7, which all saw decreases.

Ironically, the lower crime rate in Auraria-Lincoln Park resulted in the area being denied a grant for a victim's assistance director. Sgt. Elmer Daugherty of the Auraria College Public Safety Department said, "We were turned down because we were low in crime. Based on the statistics we were able to provide, they said we didn't have enough crime or victims to justify a victim's assistant."

People and Places

Point and counterpoint

A San Jose, Calif., police training officer, whose outspoken stand against gun control legislation has put him at odds with Chief Joseph McNamara, says he has been assigned a desk job while the department conducts an internal affairs investigation on his use of a National Rifle Association-produced film in his weapons safety class.

Leroy Pyle, a 25-year veteran of the San Jose force, told LEN that two days after he testified against a proposed ban on assault rifles before the California Legislature, his sergeant and captain entered his class and announced he was being relieved of his duties and was the subject of an internal investigation.

Pyle had shown his class two films about guns on March 30. One of the films was produced by the California Attorney General's Office and Pyle described it as "an educational film about guns for legislators." But Pyle believes it was the second film — produced by the NRA — that may have gotten him in hot water.

Pyle, an NRA member who appears in the film as narrator, said it shows the differences between semiautomatic and automatic weapons. In the version shown by Pyle, there was no mention of the controversial pro-gun organization, although the 16,000 copies that have been distributed na-

tionwide include additional footage with information and names of contacts.

Pyle said McNamara called the film "NRA propaganda," but he defends his use of the films, saying he never uses "the N-word" in his class.

"And there was no N-word in this film," Pyle told LEN. "I was very proud of it, still am. I would use it again in a second — with permission, of course." Pyle added that he had always chosen the materials used in the class he had taught for nearly a year and had showed the NRA-produced film to his sergeant.

Pyle, who said he is under orders to state that his views do not represent those of San Jose or its Police Department, noted that this is not the first time he has been at odds with Chief McNamara on the gun control issue. McNamara is well-known nationwide for his tireless efforts for gun control, and he and Pyle debated one another in 1982 on a California gun-control initiative known as Proposition 5.

McNamara was out of town and could not be reached by LEN, but Lieut. William Powers told LEN that state laws bar management from commenting on internal personnel matters.

Pyle said he is amazed that so much "effort, time, money, headlines, editorials and speeches" are being devoted to the assault rifle debate. "All that effort could be better directed at just some good, stern enforcement," he said.

And while many police chiefs nationwide are on record in support of bans on assault rifles and other high-powered weapons, asserting that the police are outgunned, Pyle said that's the wrong tack to take.

"That's the way they seem to get attention, by saying police are losing the battle and we're outgunned," he said. "With friends like that, we don't need enemies and that's what got me into the fray in the first place."

Dogged digging

A former archaeologist and anthropology professor-turned-Dallas police detective, who dug for clues to solve a rash of burglaries plaguing a Northeast Dallas neighborhood, was named Law Enforcement Officer of the Month in March by a Texas crimefighting organization.

The Dallas Times Herald said Det. Larry Morgan, who traded his textbooks for a policeman's badge 13 years ago, was cited by Associated Texans Against Crime for his "solid investigative police work" that helped to crack one of the city's most prolific burglary rings. He received a plaque and \$1,000 from the statewide organization.

"I just went in and did a lot of street-type work," Morgan told

the newspaper before receiving the award on April 19. "I identified about 150 individuals involved in burglary and theft, targeted about 25 of them and set out to get them off the streets."

As a result of Morgan's efforts, hundreds of burglaries in the Casa View neighborhood of Dallas were cleared by police. Casa View, which led the city in burglary rate, once had the distinction of having the nation's highest property-crime rate. Since the crackdown, the neighborhood no longer appears on the city's list of the 10 most burglarized neighborhoods.

After being assigned to the department's Northeast Patrol Division in early 1988, Morgan noticed a steady rise in burglaries in the Casa View area. His subsequent research into the trend showed that the suspects were an organized group of crack addicts who were stealing to support their habits. The ring committed an average of five burglaries a day and had set up a fencing operation to sell the stolen goods.

Using information obtained from local residents and patrol officers, as well as surveillance and traffic stop tactics, Morgan was able to nail almost all of the 25 suspects targeted by police. In the process, Morgan was also able to uncover an auto theft ring that transported stolen cars from Dallas to Austin.

"We wound up sending a lot of them to prison, and others got scared enough that they left the city or state," Morgan said.

Morgan, 42, had done digging of a different sort during his years as field director in the archaeology and anthropology departments of the University of Tulsa. Prior to that, Morgan taught anthropology at the University of Texas-Arlington, where he had earned his master's degree in sociology. He became a patrol officer at age 29, earning the rank of detective five years later.

Back in the saddle

A Calumet City, Ill., patrolman, who was fired after a 1987 incident in which he waited outside an apartment for 27 minutes before attempting to rescue a young girl who was being raped inside, returned to work April 19 after he was reinstated to his job of 14 years by a Cook County judge.

Officer James Horka told LEN he was "glad to be back" after a year of inactivity and had not had any problems since his reinstatement, which riled some residents in this Chicago suburb near the Indiana state line. Horka said he could make no further comments on the case because he has been named as a defendant in a multi-million-dollar civil suit filed by the girl's family. The Calumet City Police Department is also a defendant in the suit.

Circuit Judge Thomas R. Rakowski, who ordered Horka's reinstatement, said the officer "could reasonably have made the judgment call not to crash the door," according to the Chicago Sun-Times. Horka had contended that he and two other officers who responded to the call did not attempt a rescue of the girl because they feared her attacker would kill her. Instead, they waited until another officer arrived, after which they entered the apartment and rescued the girl.

The two other officers involved in the incident were suspended for 14 and 21 days, respectively, and public outcry over the episode hastened the retirement of Chief James Shutoaki in May 1988, after the City Council had unanimously called for his resignation.

The city's new Police Chief, Steven Rhoads, told LEN that Horka was reinstated because "the judge didn't feel that [the Board of Police and Fire Commissioners] ruled appropriately to justify the termination." Rhoads declined to go into detail.

If a similar situation were to happen again, Rhoads said, it would be handled differently because a supervisor is on duty at all times and "they have specific guidelines of when they can call out the SWAT team and when they should call out the SWAT team." Rhoads added that under new policies implemented since the 1987 rape, in similar cases a sergeant would go immediately to the scene to assess the situation.

"That situation is not going to come up again in Calumet City," Rhoads said.

Horka is currently attending a field training program that will last from four to six weeks. The department requires the training for any officer who has been off the street for more than a year.

Handing him a line

California police officials say they were able to track alleged mass murderer Ramon Salcido Bojorquez partly through a ruse in which they convinced Salcido's bank to give him an unlimited line of credit, thereby allowing lawmen to track Salcido's movements on the basis of transactions he made with his automatic teller card.

The arrest of the 28-year-old suspect in the murders of seven people "was not just a fluke" but the result of "excellent police work," Sonoma County Sheriff Dick Michaelson told the Associated Press shortly after Salcido's April 19 arrest.

Authorities said the murder binge came after a night spent drinking and snorting cocaine. Salcido spent several days on the run after the April 14 killings, prompting residents of the California wine-producing valleys to bolt doors and arm themselves.

Salcido is said to have exhausted his bank account soon after the murders, but authorities persuaded the Wells Fargo Bank to extend an unlimited line of credit to the fugitive.

The ruse apparently paid off, with Salcido making several withdrawals at various locations during his flight to Mexico, thereby allowing authorities to track his movements.

When contacted by LEN, the Sonoma County Sheriff's Office declined to comment on the case, citing a recent court-imposed gag order. A Wells Fargo Bank spokeswoman said the bank would not discuss the case because of confidentiality guidelines, nor would she say whether authorities had used the ploy to track other fugitives.

Salcido, suspected of killing his wife, two daughters, his mother-in-law and two young sisters-in-law, as well as a co-worker at the winery where he worked, was captured near his hometown of Los Mochis, Mexico, 850 miles northwest of Mexico City. He was extradited to California by Mexican police officials on April 20.

They're not laughing

Two Minneapolis child-abuse investigators who walked off their jobs to protest verbal and sexual harassment by their co-workers are back on the job, but internal affairs investigations into their complaints continue.

Sgt. Lori Eggiman and Officer Gail Cronquist of the Minneapolis Police Department's investigations unit staged the walkout after one of Eggiman's computer files was erased and someone taped large paper stars along the path to their desks. Names of celebrities were written on all the stars except two, which carried the officers' names. The prank evidently was aimed at the fact that the two investigators have made frequent appearances on local newscasts.

A female stenographer later admitted she was responsible for the stars, but investigators are still looking into the erasure of the file and other complaints. Eggiman and Cronquist say they have been continually subjected to abuse by co-workers in the unit, which includes homicide, rape and child abuse investigators.

Lieut. Richard Storck, who formerly supervised Eggiman and Cronquist, was suspended without pay for 10 days and demoted to patrol officer for 90 days for sexually harassing Cronquist and other women in the child-abuse unit. Storck, who was not implicated in the paper stars incident, has denied the harassment charges and said he will appeal.

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Police Psychology — with a capital 'P'

There aren't many Psychologists with a capital P in police agencies, but every police officer is, willy-nilly, a lower-case psychologist. That's because he's the



Burden's Beat

Ordway P. Burden

only government representative on call for society's ills and emergencies around-the-clock, seven days a week. On a typical tour of duty, a patrol officer is much less likely to be chasing criminals than to be intervening in family disputes, dealing with mentally disturbed persons, interviewing rape or child abuse victims, and looking for lost kids. An officer's job may be as much as

four-fifths human relations, one-fifth crime-fighting.

Increasingly, large police departments have recognized that fact and incorporated human relations into training programs. One of the leaders is the Los Angeles Police Department, which in 1968 became the first police agency to hire a full-time psychologist, Dr. Martin Reiser. Under his direction, the LAPD's Behavioral Science Services Unit has pioneered the use of applied psychology in police work.

Today LAPD recruits are trained in such areas as how to handle family and business disputes, landlord-tenant clashes, victims of crime, mentally ill persons, and potential suicides. "Most large departments offer similar kinds of training," says Dr. Nels Klyver of the behavioral science unit. "The idea is to give officers some insight into what's

going on in these situations and what they can do to handle them in ways that will reduce their own risk and also benefit the people. If an officer handles the problem correctly, it's a win-win situation for him because it's going to benefit the person in the dispute or with the problem, and he's going to increase his own safety."

In his 1982 book, "Police Psychology," Dr. Reiser pointed out that confronting crises is routine for the police, especially in big cities. These crises, he wrote, "require sensitivity, empathy and objectivity on the part of the mental health agent, usually a police officer. In addition to these qualities, he needs training, a background of experience, and some expertise in dealing with people who are severely emotionally disturbed or mentally ill. In this regard, he often performs a

kind of triage service in making a determination about who should be referred for outpatient help."

Dr. Reiser called for "more comprehensive training of officers in the behavioral sciences, including normal and abnormal psychology, criminal psychology, family and adolescent psychology, and crisis intervention. Specialized training in coping with stress is also desirable," he said. "Police work is undoubtedly a high-stress occupation, but officers can be taught to anticipate stressful situations, to become knowledgeable about the internal and environmental factors affecting decision-making under stress, and to cope more effectively with difficult situations in the field."

That's a tall order, given the need for training in more traditional police skills, too, and the ingrained resistance by some officers. In the LAPD, a specially trained cadre of officers with experience and credibility are often the trainers, Dr. Klyver said. "When you try to introduce some of these things into an organization, there's bound to be some resistance," he explained, "so it has to be done in a way that the officers are going to buy. Most officers will listen to you if you show them some things that are going to make their lives easier, reduce their risk, and improve their situation."

In 1981, the LAPD pioneered peer counseling for officers with problems. "Our peer counselors are volunteer officers who provide a lot of the counseling that psychologists would otherwise do," Dr. Klyver said. "They counsel for family problems, job problems and so on. It's not an alternative to psychological treatment, but most of the officers with problems don't need a psychologist, they just need an opportunity to sort

through things."

Most police agencies with psychological service units started them primarily for psychological screening in the recruit-selection process. The more ambitious departments then move into direct service to officers, such as counseling and therapy. The LAPD and a few others have gone beyond that to develop training modules for recruits and organizational development programs for superior officers from sergeants through chiefs. The LAPD unit has three full-time psychologists, a psychological assistant, two full-time and five part-time consultants, and four interns.

The LAPD unit may be the wave of the future, at least for large police agencies. As Dr. Reiser wrote, "In practice, the police officer has to become a social scientist. He is dealing with human problems and so to be effective must become a specialist in human relations. Mental health professionals must also recognize the realities of this role and join the policeman as a partner in the process of teaching, sharing and learning. Forward-looking police departments will be eager to have full-time behavioral science experts on staff to assist in these endeavors. Those which are too small to afford it will nevertheless recognize its importance and seek to acquire it in cooperation with local universities, mental health centers, and private practitioners."

Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 651 Colonial Blvd., Washington Township, NJ 07675.

Turner retires as chief in DC; agency said to focus on insiders for successor

Continued from Page 1
reports of a major rift with Barry on police issues.

"I run this Police Department as a professional law enforcement officer and the Mayor has certain ideas he thought would be beneficial toward the reduction of crime. We didn't always agree but I think that's the same with any Mayor and Chief of Police. After we left closed doors, we always agreed," he said.

Nevertheless, Turner has not backed down from his belief that more cops on the streets of the nation's capital would give law enforcement an extra edge against the phalanx of drug dealers that have held whole neighborhoods hostage.

"I think that with 700 additional police officers we'd begin to have some success in lessening the drug problem and the homicides that have occurred in the city," he said.

The department's strength has dwindled from a 1973 peak of 5,100 officers to the 3,950 who serve now.

Efficiency Said to Drop

Cuts in manpower and budgets have led to some glaring declines in police services, according to a recent New York Times report. The paper noted that the percentage of murders solved by homicide detectives has fallen from about three out of every four — a rate comparable to the national average — to one in two last year, and one in three so far this year. Similarly, the surge of homicides has created a two-year backlog in investigations by the firearms branch, which compiles evidence on guns used in crimes.

Some members of Congress have called for putting the department under some kind of Federal control, a move opposed by Turner.

"When Detroit was allegedly



Turner

Still bullish on department.

the murder capital of the world, there wasn't a cry to federalize, so why would there be a need to federalize this department?" Turner said.

Turner, a Washington native who joined the police force in 1957 after a hitch in the U.S. Marines, is bullish on his department and said he feels Washington is "being singled out" for its current problems.

"This department will stack up against any department in the country," he said. During 1988, 13,000 drug arrests were made by its officers. That pace is being matched so far this year, with 1,656 drug arrests during January and February, according to police statistics.

"We arrest more people per 1,000 residents than any police department in the country. We have more people incarcerated in this city than any other city or country in the Free World. So I think we're capable of performing our duties."

Successor Search Starts Inside
In a statement issued April 24,

Mayor Barry expressed "regret" over Turner's resignation and launched a search for a successor to Turner. Rick Blake, the Mayor's spokesman, said Barry is focusing on the department's deputy chiefs for a candidate, but has not ruled out bringing in an outsider. Barry's choice would have to be confirmed by the City Council.

Fraternal Order of Police president Gary Hankins said the union is adopting a "wait-and-see" attitude regarding Turner's resignation but he did not see it affecting the morale of the city's officers.

"I think there is a widely held perception among the rank-and-file that the Mayor has been so deeply involved in the micro-management of our department that Chief Turner was unable to really effectively follow the situation," Hankins told LEN. "Under the Mayor's administration, we've seen manpower, budget, resources all cut back every year. Those are long-term demoralizing trends that are really going to supersede any consideration by the new chief."

Hankins said the FOP is conducting a survey of its members to find out what kinds of qualities they would like to see in the next chief and whether he should come from inside or outside the department.

"We do hope that the new chief, whoever he is, will be aggressive in trying to get the resources we need to restore the department to some kind of more effective organization," he said. "We have leadership here in this town and in the department that could really get things moving — if they had the resources and the authority."

"What we really need is to get the department back on a professional track without politicians being involved in it."

CRIMINAL JUSTICE ETHICS

VOLUME 3 NUMBER 1

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Weighing the risks in deciding to give chase

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and thus he speeds through traffic devices and runs others off the road.

Then there is the problem of stopping the suspect once the officer catches up to him. As summarized by Geoffrey Alpert and Patrick Anderson, high-speed pursuits can end in one or more of the following situations:

¶ The offender stops the car and surrenders;

¶ The pursued vehicle crashes into a structure and the occupants are apprehended, escape, or are injured or killed;

¶ The pursued vehicle crashes into another vehicle without injuries to passengers or others;

¶ The pursued vehicle crashes into another vehicle with injuries to passengers or others;

¶ The pursued vehicle hits a pedestrian, with or without injuries or death;

¶ The police use some force to stop the pursued vehicle, including firearms, roadblocks, ramming, bumping, boxing-in, etc.;

¶ The police car crashes, with or without injuries to officers or civilians.

Some Pursuits Are Justified

Of the seven possible outcomes to a police pursuit, only one should be acceptable to the police administrator. Anything less than a safe ending results in grief to the department in the form of lost manpower, damage to public image, and monetary loss through court action. With most pursuits ending less than safely and less than favorably, should a blanket order be issued, banning all police pursuits? The answer is self-evident in the nature of the police role: Some pursuits are justified and necessary.

But conceding the fact that police pursuits are at best extremely dangerous, administrators must look at the legal aspect when considering whether to permit officers to pursue.

Lawyers have found that improper policies (whether written or implied) and inadequate training are two areas that can be attacked in liability cases. Attorneys must establish a standard of care owed by the police department or official. The appropriate standard can almost always be found in the department's internal regulations and policies. If a court can base a finding of negligence on violations of internal rules or policies, it would not be substituting its independent expertise for that of the police. Rather, it would simply be holding the police to a standard they have set (Koonz & Regan, 1985). With lawyers thus relying on law enforcement administrators to set their own policy-making traps, solid logic must be used and each aspect of a pursuit must be weighed before making policy.

Handicaps of the Pursuer

But just because the administrator has to establish good policy, that does not immunize

the officer from liability. If it is decided that some police pursuits are justifiable, the decision must then follow as to who makes the decision whether to continue or terminate the chase. At first glance, the officer who initiates the pursuit would seem to be the logical person to make the decision. However, he has several handicaps from the outset.

The officer must still show "due regard for the safety of others" (Silver, 1987), paying greater heed to traffic control devices that the pursued vehicle might feel free to ignore. But with the officer subject to liability, his thinking process during a pursuit has to be considered. First, the pursuing officer must give his full attention to the task of driving the vehicle. He doesn't have time to think of the consequences of his action should the pursuit go awry. Secondly, and perhaps most important, is the "grudge match factor." Whereas the suspect has violated the law and must get away, and the officer feels he must apprehend him at all cost, you get a situation where the officer's adrenalin is flowing to the point where he doesn't want to consider the possible results of his actions.

One such case occurred in 1987. An officer initiated a pursuit on an Interstate highway at 11:00 P.M. in good weather conditions. At first glance this would seem to be an ideal circumstance for a pursuit. However, the speed was around 80 miles an hour, the offense was an improper lane

change, and the officer was on a motorcycle. Fortunately, a supervisor terminated the pursuit, possibly saving the motorcycle officer from needless injury or death. The only justification this officer could give for his actions was that the suspect broke the law and was trying to outrun him. This is a common example of what an officer perceives as important during a pursuit.

Decisions at a Distance

Consider, then, taking the decision-making process out of the hands of the pursuing officer and giving that authority to the street supervisor. In so doing, a non-participating party is making the decision to pursue. When you no longer allow the pursuing officer this decision, a new problem arises: How do you handle the case where an officer can't hear the supervisor's response because of various vehicle, road and radio noise? The Charleston Police Department has looked at this situation long and hard, and determined that in most cases the risk of the pursuit outweighs the penalty to the perpetrator. Thus, we have a better probability of being right if we terminate a pursuit than if we continue it with communication problems. This led to the implementation of a "no response is a terminate" policy. Not only did this eliminate unsupervised pursuits, it seemed to clear up our communication problems.

If the decision-making responsibility is to be placed with the

supervisor, there are certain factors he must know in order to make a rational decision, including:

¶ The reason for the pursuit. (Stopping an armed robber would naturally carry more weight than chasing a traffic violator.)

¶ The weather conditions and type of road;

¶ The location of the pursuit and traffic conditions;

¶ The speed of the pursuit;

¶ The ability of the driver being pursued to handle his vehicle, regardless of speed. (If the vehicle is all over the road, it increases the probability of property damage and/or personal injury.)

¶ The identity of the vehicle being pursued. (If you have established by teletype that the vehicle is not stolen, you can send someone to the registered owner's residence to seek out information on the driver prior to his returning home.)

Deriving Training Benefits

No one factor is of greater importance than another. They must all be weighed when the supervisor is making his decision. Once the decision-making responsibility has been removed from the pursuer, he is free to concentrate on the pursuit (although this does not eliminate the risk of liability).

If it is agreed that police pursuits are a necessary function of police work, and that they are at best a rarely-win situation, shouldn't some benefit, in the form of training, derive from the

end result of a pursuit? All pursuits have elements that can be learned from. Each case has to be decided on its own merits, and police pursuits in general are situations where officers or supervisors must make a judgment call.

Administrators can only make sound policy and train officers and supervisors in the decision-making process. Making officers and supervisors think of the consequences of their decisions before they act is the best one can expect. Review boards should examine each pursuit. If at the conclusion of a pursuit, the communication tapes of the pursuit are reviewed and one-on-one training with the participants is conducted, there will be a better understanding of the thought process leading to the pursuit, and new alternatives and methods for the pursuit problem may be discovered.

Risk-Benefit Analysis

One important factor in the pursuit situation has been omitted thus far, namely how to stop the pursued vehicle once it is caught. In reading countless documents dealing with vehicle pursuit, most come to the same conclusion:

"In the course of pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in motion shall be pro-

Flurry of pursuit-related accidents prompts long, hard look at chase policies, evasion penalties

Continued from Page 1

January incident came just three months after Philadelphia police chased a 12-year-old boy in a stolen car, which subsequently crashed, killing two pedestrians.

¶ The Boston Police Department adopted new regulations restricting high-speed chases March 22 after two people were killed during pursuits in the past year. The incidents sparked a public outcry and prompted the department to direct officers that high-speed chases are "strongly discouraged except under highly unusual or serious conditions."

Deadly December

¶ In December alone, five people died in Orange County, Calif., as a result of police pursuing suspects or responding to emergency calls.

¶ During the same month, seven people died in accidents resulting from police pursuits in the Columbus, Ohio, area, causing local and state lawmakers to propose stiffer penalties for fleeing the police. In one of the accidents, a family of five was killed after a car fleeing from police ran a red light and smashed into their car at 80 mph, causing an explosion.

That Dec. 28 tragedy, which actually occurred before police had a chance to initiate pursuit, caused Columbus police officials to review departmental pursuit policies, which were found to be "solid and there were no changes made," Lieut. John Carruthers told LEN.

Columbus policy says that each situation is unique and if "the risk [to property and life] outweighs the need to apprehend the fleeing suspect, the pursuit will be terminated," Carruthers said.

Pursuits are limited to two vehicles and a supervisor is assigned to each vehicle. Officers are prohibited from engaging in a pursuit if they have a prisoner "or another person not employed by the city" in their car, Carruthers said.

Actions that could result in collisions are prohibited, except when the vehicle is part of a roadblock, which Carruthers called "the absolute last resort" to stop a fleeing suspect. The duration of the pursuit is left to the "judgment of the supervisor managing the pursuit and the officers in the primary vehicle," he added.

Taking Legislative Aim

Officers are ordered to ter-

minate pursuits if enough information is known about the subject to identify him and file charges.

While Columbus' policies may be "sound," the city Government wants to keep pursuits — and the deaths and liabilities that may result — to a minimum. In late January, the city approved an ordinance upgrading the offense of willful flight to a first-degree misdemeanor, which in Ohio carries a maximum \$1,000 fine and 180 days in jail. If the flight results in "serious physical harm to persons or property" a mandatory 90-day sentence would be tacked on, said Lelia Cady, a Columbus City Council spokeswoman.

Previously, Cady said, fleeing a police officer was a misdemeanor, but laws did not distinguish incidents which resulted in serious injury, property damage or death. "We hope toughening the ordinance will deter flight," she told LEN.

In February, the Ohio Senate took up the cause, passing a bill to increase the penalty for those embarking on vehicular flight to that of a fourth-degree felony "if the person is fleeing from a felony or attempted felony; or if the vehicle

or the offender was the proximate cause of serious physical harm to persons or property; or the vehicle or offender causes a substantial risk of serious physical harm of persons or property," according to Joni Morrow, a spokeswoman for the bill's sponsor, State Sen. Eugene Watts (R.-Columbus).

Morrow said the bill was a "definite result" of the recent tragedies in the Columbus area.

More Traffic, More Accidents

The bill would also require all police departments to adopt policies pertaining to hot pursuit and would increase the penalty for vehicular homicide from a fourth-degree felony to an aggravated third-degree felony.

Morrow said the final bill should come up for a full vote before the July recess.

Some jurisdictions in areas of the country faced with surging population growth, such as California and Florida, are finding that an increase in traffic also increases the potential for injuries and damage arising from pursuits. Okaloosa County, Fla., Sheriff Larry Gilbert recently banned the use of blue emergency lights and ordered deputies to

Mass. halts police overtime

Massachusetts Gov. Michael Dukakis last month halted all overtime for State Police after the state Legislature failed to provide additional funds to replenish an overtime account that was exhausted with two months remaining in the fiscal year.

The move could cause a slowdown in criminal investigations and reduce the number of troopers on the highway.

The freeze also could add to the backlog of criminal cases in the courts. State police union officials have instructed members to ask judges to postpone cases where overtime is required until the new fiscal year begins July 1.

State Police, however, will still respond to emergencies, said a spokeswoman for Charles Barry, Secretary of Public Safety. "State police will do whatever they have to do in case of an emergency," said the spokeswoman.

The Dukakis administration

has asked the Senate to provide overtime funds in its version of a \$2 million supplemental budget. In the past, additional funds have been routinely incorporated into the supplemental budget, but the House refused to include them this year for the first time.

Several projects and major cases now being worked on by Massachusetts State Police may be in trouble.

According to District Attorney Ronald A. Pina of Bristol County, investigations into the slaying of nine women in the New Bedford area will be slowed down.

Pina said he has nearly exhausted \$50,000 Dukakis set aside to keep the investigation going.

In addition, the state could be forced to suspend a drunk-driving interdiction program. State Police also will be understaffed if a trooper calls in sick since no one will be allowed to work overtime to fill in.

According to Barry's spokeswoman, troopers working for the state's 11 district attorneys on homicide cases or drug investigations will not be able to pursue leads immediately if overtime is required.

Under Federal labor laws and the State Police contract, troopers are not allowed to work overtime unless there is money to pay them. The situation is "outrageous," said Francis Bud Riley, president of the State Police Association of Massachusetts.

"If the letter of the law was followed," he told the Boston Globe, "we could not respond to a crisis situation."

Riley said he is asking troopers to appear in court if no postponement is granted. He does not want officers being held in contempt, he said, for refusing to appear.

Riley said the union will very likely sue the state for back overtime pay and interest if the situation is not cleared up quickly.

Promotion authority of FBI field supervisors is curbed

A Federal District Judge who ruled last year that the Federal Bureau of Investigation had systematically discriminated against Hispanics last month ordered the Bureau to overhaul its promotions system.

Judge Lucius D. Bunton 3d strictly limited the discretionary power of agents who oversee the Bureau's 58 field offices, overturning a procedure that allowed supervisory agents to disregard recommendations made by local promotion boards.

Bunton also created a three-member independent panel to investigate whether each of the more than 400 Hispanic agents who brought the suit should be promoted.

But the judge rejected monetary damages and the use of quotas, saying revamping the promotions system would help "remove hidden barriers" Hispanics and other minority agents faced.

The FBI did not indicate immediately whether it would appeal the decision, but Director William S. Sessions issued a statement saying, "We are looking with care at Judge Bunton's ruling with an eye toward building further on the many improvements already undertaken in the FBI's personnel practices."

After Bunton's original ruling, the FBI conducted an internal investigation that showed serious problems in the way minority agents were hired and promoted. As a result, the bureau made several changes in its affirmative action program.

However, Bunton said allowing supervisory agents to reject the recommendations of local

boards was "anathema to nearly every reform advanced by the Bureau and ordered by this court."

The case before Bunton in an El Paso District Court was brought by Bernardo M. Perez, who once was the FBI's top-ranking Hispanic agent. Bunton found last year that white supervisors had retaliated against Perez after he complained of discrimination. The latest ruling ordered the FBI to promote Perez within 45 days.

The cases of the other agents who joined Perez in the suit will be studied individually by the independent panel, which will be made up of attorneys. The panel's decisions can be appealed to the judge.

In rejecting the Hispanic agents' request for back pay and a quota system or timetable for promoting minority agents, Bunton said, "The imposition of quotas or preferential promotion are drastic remedies which should be ordered only upon a showing that the discriminating employer has resisted less intrusive reforms." While he said that promotion decisions within the FBI have been "unsystematic, excessively subjective and incapable of review" and influenced by the "significant if not easily measured effects of discrimination," he said quotas were not called for.

Perez said after the ruling that while he was disappointed that no money was awarded, he was "very pleased" that reforms had been ordered. "Hopefully, the Bureau's good-old-boy system of promotions is dead," he told the New York Times.

Cocaine plague may hit Europe

Europe could face a cocaine epidemic in the 1990s similar to the one that has spawned overdose deaths and urban violence throughout the United States in recent years, experts say.

A recent upsurge in cocaine use in Europe has attracted Colombian drug cartels to the region, increasing the supply of the drug and driving prices down. Experts fear that lower prices could in turn lead to increase in the availability of crack, the cheaper and more addictive form of cocaine.

"The wholesale price has fallen from \$50,000 to \$57,000 per kilo two years ago to between \$25,000 and \$30,000 today," one foreign narcotics expert told the New York Times. "When it's down to \$8,000 to \$13,000 in a year or two, when it's that cheap, it's worth turning into crack."

Colombian drugs bosses have established drug networks using Spain as an entry point to supply Europe with more than 50 tons of cocaine a year, experts estimate.

Officials first became aware of the influx when cocaine seizures in Spain rose sharply, from 277 kilos in 1984 to 3,443 kilos in

1988.

In addition, two well-known Colombian traffickers were arrested in Spain in November 1984, leading officials to believe that the drug trade there is linked to Colombia's powerful Medellin and Cali cartels.

Many Europeans view cocaine as a socially acceptable drug that is not dangerous. Miguel Solans Soteras, head of Spain's National Drug Program, said, "Europe is where the United States was 8 or 10 years ago in terms of cocaine. It's still the drug of yuppies, of successful artists and sportsmen. The worst lies ahead."

Because Europe has not yet experienced serious problems with cocaine, many European governments still give priority to fighting heroin traffic. Solans said, "With heroin, addiction is quick. With cocaine, you get a 'clinical silence' of two or three years of consumption without apparent addiction. That's where Europe is now, but we're already beginning to see emergency hospital cases from cocaine."

Although Colombian cartels apparently have chosen Spain as their principal port of entry into

Europe, their influence is being felt throughout western Europe.

The two Colombian traffickers arrested in Spain, Jorge Luis Ochoa and Gilberto Rodriguez Orejuela, were extradited to Colombia and eventually freed. But they are believed to have strong networks in place in Europe.

In Italy, Colombians apparently are working with a Naples crime organization to distribute cocaine, but in other countries they control most of the drug industry alone.

Fighting the expansion of the Colombian networks will be made even more difficult when the 12 countries of the European Community form an integrated market after 1992. Anticipating that problem, the Community's interior ministers have begun looking into ways to keep cocaine from entering the region and to improve coordination between countries in the Community.

But as Solans said, narcotics experts know they face a difficult battle. "Everyone agrees that we're going to see a very important increase in cocaine consumption in the coming years," he said.

Public defender backs away from felonies

The Pima County, Ariz., Public Defender's Office asked judges in early April not to assign any more serious felony cases to its attorneys because many of them lack the experience to successfully defend clients in such cases.

Donald Klein, chief of the trial section for the Public Defender's Office, said the shortage of qualified attorneys was caused by the promotion or relocation of several experienced lawyers.

"Most of them in the trial sec-

tion have less than three years' experience," Klein told LEN. "The younger ones shouldn't be handling the more serious cases. The older ones have so many cases that they would be swamped as well if they were to continue taking those cases."

About 30 lawyers in the Public Defender's Office handle 4,500 to 5,000 cases a year, he said.

The shortage of experienced lawyers had its roots several years ago when Pima County set

up a Legal Defender's Office to avoid conflicts in cases where two or more codefendants were to present conflicting defenses.

The Legal Defender's Office was staffed with five or six experienced lawyers, some of them drawn from the Public Defender's Office, Klein said.

Cases for which the Public Defender's Office has requested temporary exemption include murder, child molestation, aggravated assault and rape.

NJ gives new emphasis to bias crime as first statistical report rolls out

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under a directive by former Attorney General W. Cary Edwards. Because 1988 is the first year such statistics have been kept, Perretti said, officials could not determine whether the rate of bias crimes has increased.

The bias crimes reported included 100 incidents of racial or religious graffiti, 72 swastika paintings and nine cross burnings. They also included three rapes, three robberies, three arson and four burglaries.

Most of the offenses were directed at blacks and Jews, with blacks reporting 177 crimes and Jews reporting 173. There were 83 offenses aimed at whites, 76 at Asian Indians, 23 at Hispanics, 19 at Orientals and 10 at Hindus, with the remainder of the crimes dispersed among several other groups.

By class, the crimes included 196 reports of criminal mischief, 136 cases of harassment, 97 cases of simple assault, 36 of aggravated assault and 28 terrorist threats.

Perretti said he was assigning four staff members from his of-

fice to concentrate on discrimination and racial problems, and Civil Rights Director Ollie Hawkins would also assign four staffers to combat the problem through education and work with community leaders.

Perretti said the eight staff members will provide a "new, structured presence" for the state in this area.

New Jersey is one of eight states collecting data on crimes of bias, and officials there said it may take five years to gather enough information to make comparisons. They said they expect the number of incidents reported to rise for several years as the percentage of victims who report crimes increases.

Col. Clinton Pagano, Superintendent of the State Police, told the Star-Ledger that the most significant finding in the first year was that organized groups such as the Ku Klux Klan were "not at the root of any of the incidents" reported.

"They are here, but they are not effective, they are not in large numbers," Pagano said.

Other Voices

A sampling of editorial views on criminal justice issues from the nation's newspapers.

The limits on taking back the streets

"That was a top-notch speech President Bush gave Monday on taking back the streets from violent criminals, the kind of law-and-order rhetoric that ought to have gladdened the hearts of the police officers in attendance and eased the pain of the relatives of police officers killed in the line of duty. It is time, he said, to change the odds against murderous thugs, drug dealers and brazen repeat offenders, to teach them that crime does not pay — that the guilty will be caught, convicted and do time. Right on, Mr. President. But in the name of good taste, let's hope none of the officers being memorialized were victims of semiautomatic assault rifles. In pledging to match his rhetoric with resources, Bush barely made it halfway on the most wrenching, divisive and symbolic issue in the war on crime, proving he has not yet resolved his personal anguish over drawing the line between the vicious, military-style weapons favored by criminals and the more legitimate semiautomatics used by hunters and sportsmen. There should be no more waffling on this issue, or pretense that assault weapons have same useful purpose beyond mayhem. If the President is as tough as his talk, he should demand a prohibition on the import, manufacture and possession of all these weapons, period. That would be more than a symbolic nod to law enforcement officials clamoring for such action."

— The Chicago Tribune
May 17, 1989

Half a loaf

"As any good cook knows, the best solution for a half-baked meal is to put it back into the oven until it's done. That's what Congress needs to do with the crime-fighting program that President Bush proposed on Monday. From premise to conclusion, the program isn't bad; it simply isn't finished. The premise is that those who do the crime will do the time. And the President proposed to back that premise with \$1.2 billion. Of that, \$1 billion would build new prisons for 24,000 more inmates. The remaining \$200 million would beef up law enforcement and prosecution. One cannot quarrel with that. What does all that money buy? Protection from those who at a given moment are behind bars. Nowhere does his program address rehabilitation or drug treatment or, for that matter, any other forms of crime prevention such as strengthened intervention with juvenile offenders. Equally as half-done are the President's proposals for gun control. Mr. Bush has kept his aim on violent crime — and that's most worthy: The human scavengers who prey on society must be put away. But society never will be safe until it reduces the numbers of those who become scavengers. Mr. Bush and Congress should realize that he has partly, but only partly, made a start on fighting crime. The other half is yet to come."

— The Miami Herald
May 17, 1989

Off target: Bush's pallid priorities

"President Bush's \$1.2-billion anti-crime package has encouraging elements but overall his initiatives add up to the policy equivalent of a peashooter. Too bad there just isn't enough legislative firepower here to, in Bush's words, 'take back the streets' from the druglords and the crazies armed with semiautomatic assault weapons. There sure as shootin' ought to be. No one should quarrel with beefing up the ranks of Federal law enforcement. Or with spending enough to reduce overcrowding in Federal prisons. What Congress should find fault with is Bush's fence-sitting approach on the hard ones. At the very least, Congress will need to insert the following provisions into the final bill: a mandatory waiting period so that gun dealers can see if the potential buyer has a criminal record; funds for states to use for prisons, jail alternatives and drug treatment, and a ban on domestic military-style semiautomatic assault weapons. There's a lot Bush left out."

— New York Newsday
May 17, 1989

'The real mystery'

"Since when have drug users had a lobby in the state Legislature? Given an opportunity to add a potent weapon to the state's anti-drug arsenal, the Senate decided Monday to back off. One senator, Steve Cohen (D.-Memphis), made a passionate plea to spare misdemeanor offenders, particularly teenagers at rock concerts, from the harshness of a \$500 fine. So there you are, kids. Other adults besides pushers and dealers understand you. State legislators are saying they sympathize with your complaints about not having the freedom to share a toke, maybe sweetened with PCP or coke — or even to drop a dot of acid — at a suitably informal public event. The bill, which the Senate re-scheduled to be heard on the last day of the current session, was proposed by Shelby County Sheriff Jack Owens. It would set mandatory fines, ranging from \$500 for a first conviction on a charge involving marijuana or hashish to \$3,000 for a third conviction on a felony drug charge. Judges could waive or reduce the fines only when defendants proved they were too poor to pay. The most bothersome argument came from Cohen, who said, 'If we pass this bill without this amendment (which would have removed misdemeanor drug offenses), the sheriff is going to make a point of going to rock concerts and arresting every kid he sees because they'll have bounties on their heads.' What's wrong with arresting and fining every kid who's smoking pot? How else can they learn that the law really does mean that marijuana is illegal? How else will they come to believe that drug use is so self-destructive that society must fight it wherever it occurs, and especially when it begins to get a hold on young people?"

— The Memphis Commercial Appeal
May 17, 1989

Nees:

The seductive trap: Should law enforcement return to performing only 'Real Police Work'?

By Hal Nees

"Real Police Work" (RPW) involves catching crooks, solving crimes and serving as the thin blue line between the honest citizen and the criminal. Many of us in law enforcement wish to return to the fabled days when we were doing nothing but chasing and catching crooks. However, most of us have decided that in actuality we serve a much broader purpose for society. We provide community services and enforce regulations and traffic laws, while spending only from 10 to 20 percent of our time doing RPW. In Boulder, recent statistics suggest, our officers spend approximately 16 percent of their time doing RPW.

At a recent conference one of the presenters raised the question of whether law enforcement should just perform RPW. He suggested that it might be valuable to explore splitting off the members of agencies who provide community services from the officers who perform RPW. Thus it appears that the issue of law enforcement performing just RPW is once again under discussion.

The person proposing this notion raised it in the context that most law enforcement agencies nowadays are hiring civilians to do many of the tasks performed previously by law enforcement officers. Therefore, with this in mind, it might be advantageous to split the two roles between community-service providers and officers performing RPW. This would allow officers performing RPW to concentrate on doing just that and not have to worry about the community service aspect. Each agency would thus be better able to direct its energy toward doing the best possible job of accomplishing its mission, while at

the same time creating a new organizational structure that would be more cost-efficient and effective.

Much of what he said is possible and it certainly is attractive. We could just go about the tasks of performing RPW. Law enforcement officers dream of catching a real crook in the act of committing a crime. For those of us in administration, catching crooks is performed vicariously through our officers, but we still enjoy successes. That is what "Real Police Work" is all about — or is it?

The response to this question has two main points: performing RPW as effectively and efficiently as possible and at the same time maintaining citizen respect and trust.

"Real Police Work" is the act of catching crooks and solving crimes. If we look at the elements that bring about success in both acts, the citizen is an important part. John Eck, in his work "Solving Crimes: The Investigation of Burglary and Robbery," wrote:

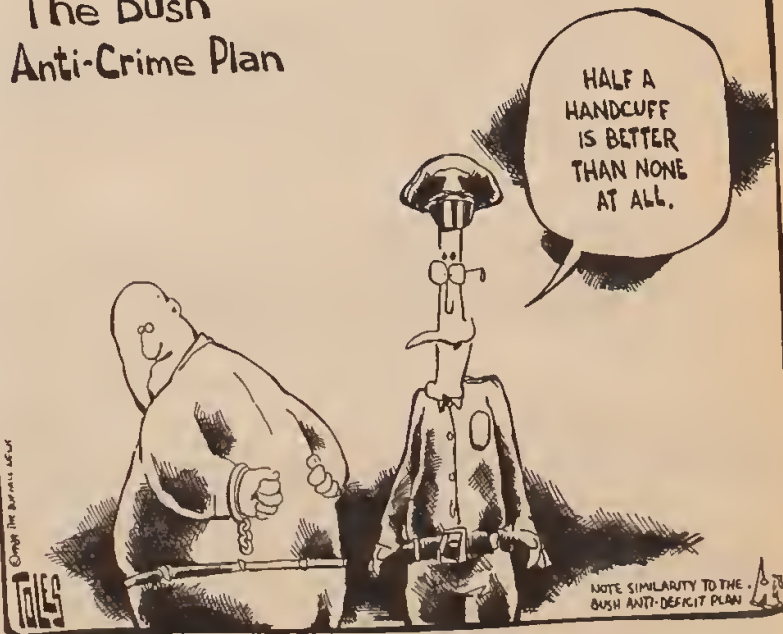
"Information is to an investigation what water is to life. Without information that can lead to the identification of a suspect or serve as the basis for convicting a suspect, no investigation can be conducted."

We all know that most of the information obtained is through citizens or informants. Very few law enforcement officers observe crimes in progress. Thus, we must get our information from people outside of our organizations. If, as men-

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Hal Nees is a Division Chief with the Boulder, Colo., Police Department. He holds a doctorate in public administration from the University of Colorado.

The Bush Anti-Crime Plan



Philip H. Schnabel, the Police Chief of Rocky Hill, Conn., says unabashedly, "I am a conservative and always have been." With his reputation as a law-and-order police administrator, he says he couldn't imagine in a million years receiving accolades from a local chapter of the American Civil Liberties Union. At the same time, Schnabel says nothing in his experience would have ever suggested that a community would criticize the police for being sensitive to constitutional rights.

Both circumstances, however unlikely they may have seemed to Schnabel at one time, have now come to pass in Rocky Hill, through a chain of circumstances almost too dizzying to be digested in one sitting. Conservative Schnabel is now, as he calls it, "the darling of the liberals," and has won formal commendations from the Connecticut Civil Liberties Union, and from the local chapters of the NAACP and the Society of Professional Journalists. And to his greater surprise, a vocal group of Rocky Hill residents, including the Town Manager and some members of the Town Council, have been trying hard for more than two years to nail Schnabel for what he calls "speaking out on matters of public concern."

The "matter of public concern" that enshrouded the Rocky Hill chief in controversy was, in a nutshell, racism — within the Police Department, among towns-

folk, and on the part of local officials. Schnabel rose to the defense of a police lieutenant who first made allegations of widespread bigotry in the town of 16,000, and ever since it's been "two years of flak." Simply put, Schnabel said that police in Rocky Hill would be just as concerned for the constitutional rights of minority citizens as they are for the rights of white residents who make up 97 percent of the town. No longer would the police respond automatically to a call about a "suspicious-looking person" without first asking the caller if the person in question was actually doing anything to arouse suspicion. All too often, he says, the mere presence of a black or Hispanic individual was enough to prompt a white resident to call police.

Schnabel relates the story of "this whole, crazy situation" more capably than any careful synopsis could do justice to. But suffice it to say that as the plot has unfolded, individual developments have given the story twists and turns that a Hollywood producer would dismiss as too far-fetched, or better suited to low-grade comedy. There's little to laugh about, however.

The veteran police chief, who has served in four other agencies in addition to Rocky Hill — including 18 years with the New York City Police Department — is currently a party to several legal actions against the Town of Rocky Hill, alleging defamation and violations of his

civil rights as an outgrowth of speaking his mind on constitutional issues. Schnabel is also an attorney, and admits that he went to law school after realizing in his first few police chief jobs that vicarious liability was an occupational hazard. He has managed to find useful application of his legal knowledge in straightening out a few Rocky Hill cops with respect to their rather bizarre interpretations of state and Federal court rulings. He came to Rocky Hill in 1982, planning to stay on just long enough to instill some discipline and earn his law degree, but even with that degree in hand, and despite the public outcry against him, he says that resigning now would be tantamount to "a victory for bigots."

Schnabel says that during his first five years as chief, he was viewed as "the greatest thing since Swiss cheese." With all the tumult of the past two years, the chief's star still seems to shine brightly — even in the eyes of the town, if perhaps reluctantly. One official town document praises Schnabel for his educational background (B.A., M.A., J.D.) and the Police Department for implementing "a nationally recognized Park, Walk and Talk program [that] has been effective in providing crime deterrence and a significant reduction in offenses." Schnabel may be a controversial, even hated man in the eyes of some Rocky Hill residents, but it's not for failing to do his job as Police Chief.

"We could have come out of this as a community that recognized it had a problem and faced it responsibly. Instead we came out of it as a community that wanted to chop off the heads of the bearers of bad tidings."

Philip H.

Schnabel

Police Chief of Rocky Hill, Conn.

Law Enforcement News interview
by Peter C. Dodenhoff

LAW ENFORCEMENT NEWS: You've recently been commended by a diverse array of organizations — the local NAACP, the Connecticut Civil Liberties Union, and the state chapter of the Society of Professional Journalists, among others — for your efforts to address and eliminate racial problems in Rocky Hill. What kinds of problems? Was there a specific incident that prompted you to take action?

SCHNABEL: It all started when a local volunteer fireman called the police dispatcher at about one o'clock on a weekday afternoon and said that he had seen two suspicious Puerto Rican-looking fellows in the parking lot at a Caldor shopping center. He didn't know that they were doing anything wrong, but they sure looked suspicious. The dispatcher put out over the air that there was a possible car theft that had been committed by two suspicious-looking Puerto Rican fellows in a red car or a gold car. Lieut. John Herbst, who was the shift commander and field supervisor, heard this on the air and he asked the dispatcher whether there was any further information. The dispatcher said no, that was what they had at the time. The lieutenant then said we wouldn't respond to that call. I heard about it probably an hour later, because it turned out that a car was reported stolen about 30 or 40 minutes after the original call had come in. But of course, the lieutenant had not

known that at the time. He gave me his reasons for doing what he did, and although I thought it was a tactical error, I am convinced that he acted in good faith and in the best interests of the Police Department.

LEN: Out of this incident apparently came a report from the lieutenant, alleging a systemic pattern of racism and racially-motivated "suspicious person" calls in the town. Was the parking-lot incident then just the tip of a much larger iceberg?

SCHNABEL: I believe it was the tip of an iceberg. When this initial situation erupted, the Council, instead of looking into the matter, immediately said that the lieutenant's position and my position were a smoke-screen for my bad management of the department, and that there was no racism and the charges made by the lieutenant were fabricated. They told me to discipline him for making those statements. My position was that a person has got a right of free speech to comment on matters of public concern in this country, and I certainly would not discipline anybody for making such comments. The lieutenant refused to apologize for calling the town racist and for saying that there was racism in the Police Department.

Right up front, though, I want to make it clear that I did not agree with the lieutenant's decision to abort the investigation. At the time he got the call, there was no report of a stolen vehicle. The report said there were two suspicious-looking Puerto Rican fellows who were in

either a red car or a gold car that had left the parking lot. The lieutenant, who is also an attorney, felt that there was not enough reasonable suspicion to stop anybody. What is a suspicious-looking Puerto Rican guy? That was his position. My position was that he should have responded with the officer that was initially dispatched, to see that they did not stop "suspicious-looking Puerto Rican guys" without some reasonable cause to do so. That was the whole crux of it, and he agreed with me completely, so what the hell am I going to discipline him for? He made a good-faith judgment, and that was my position, and that's why I guess I've been undergoing two years of flak for it.

'Overly sensitive'

LEN: This drama must have unfolded against an existing backdrop to create the kind of stir that it has...

SCHNABEL: I got here seven years ago, and this department was per capita the most sued department in the state for police brutality and false arrest. The State of Connecticut enacted a prohibition on strip searches because of a lawsuit against the Rocky Hill Police Department. The Fire Chief's wife had been placed under arrest for reckless driving, and she was strip-searched in the police station. So a lawsuit came out of it, with the Fire Chief suing the Police Chief of Rocky Hill, and that was the reason they hired me. I was

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"I thought the public would rally around the cause, because it is foreign to my experience that any community would criticize the police for being sensitive to minority constitutional rights."

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recruited to come up here and impose discipline on the department, because it was pretty well a mob scene. And mind you, this is not the 30th Precinct in Harlem; this is a 97-percent white, upper-middle-class, suburban community, and the crime rate is very low. In fact, it's much lower now than it was before I got here. So there was no call at all for these John Wayne-type tactics, and we've been able to eliminate that.

So the lieutenant was very sensitive to all that. In fact, he was criticized publicly by the Council for being too sensitive to racial issues. One of the councilmen said that the lieutenant was "overly sensitive to racial issues because he was married to a Korean woman and his children were of mixed race." Now I come from New York, and it is just incomprehensible for a public official to make statements like this. Jesus Christ, they'd tar and feather you for that in New York! But anyway, I thought that the public in Rocky Hill would rally around the cause, because it is foreign to my experience that any community would criticize the police for being sensitive to minority constitutional rights. It's usually the other way around.

The Council called me to task at a meeting two years ago. There were about 100 people at the meeting, which for Rocky Hill is a lot, and these statements were made at the Council meeting. When one of the councilmen was talking about response to police calls, I said, "We want to assure citizens that we respond to calls, but we have to do so with due regard for citizens' constitutional rights." And the Councilman said, "The hell with the Constitution." This is at a public meeting! I told him, "You can't say things like that if you're a public official," and his response was, "For the record, I love the Constitution." Everybody laughed at that. Then when I said the lieutenant was an attorney and was looking at the constitutional aspects of this, the comment was made, "We don't want lawyers; we want cops." This is from the Council, not from the redneck audience. The reason this whole thing was precipitated was that the lieutenant made this judgment, I told him what my preferred response would be, he fully agreed with that and said he would respond to the scene in the future as the supervisor to see that they didn't randomly stop "suspicious-looking Puerto Rican fellows" out on the highway for no reason.

Anyway, it all lay dormant until this same lieutenant disciplined a sergeant for saying that he wanted a nigger as his personal slave to carry all the police equipment out to the car. I suspended the sergeant for three days, which I thought was very charitable since he had a long disciplinary record. The same Councilman who talked about Herbst's marriage to a Korean woman came in and demanded that I suspend the lieutenant as well, since the sergeant was suspended for only making a joke. That's what precipitated this whole, crazy situation.

LEN: Did the incident involving the sergeant's remark prompt you to issue department rules last year prohibiting racist and sexist language?

SCHNABEL: We had prohibitions against such language when I first came here. However, they were in the form of a general rule of conduct; we didn't go into the specifics that I later had to do. As it turned out,

when I disciplined this sergeant — as happens with anybody who's disciplined here — the person goes before a disciplinary board before any discipline goes into effect. We only have three sergeants in the department, so the other two sergeants in the department were sitting on the disciplinary board. They found that saying, "I'd rather have a nigger as my own personal slave" was perfectly appropriate, not in violation of department guidelines, and was no problem at all. That really caused me concern, because I figured that was one-half of my supervisory staff — I've only got six supervisors in the department — who believed that this comment was a joke and was nothing to worry about. That was and is a consistent theme throughout this whole thing. The union itself said, "If we don't joke about things in a police department, we have to cry."

LEN: The union claimed that your rules on racist language dealt with work conditions and therefore were subject to negotiation. Has this claim been pursued?

SCHNABEL: No. Once I labeled the claim as ludicrous, the attendant publicity prompted them to drop it.

Hammering away

LEN: You told us earlier that you've been "hammered" by municipal officials and bigoted residents for refusing to pander to racially motivated fears. Those are pretty strong words to use in reference to one's employers...

SCHNABEL: That's my professional opinion on matters of public concern, and those comments are 100-percent accurate. Let me illustrate. There was an outcry by residents that if the Police Department refused to stop people who were reported as suspicious, then the community would not be getting the police protection they deserve, and that the Police Department would be acting contrary to the community block-watch program that we had set up. On our block-watch signs, as you enter the town, it says that we report suspicious persons and suspicious activities to our Police Department immediately. My response to that has been that the Police Department is asking people to report suspicious persons and suspicious activities based on a person's behavior, not their race. That has been very difficult to get across.

We had a Council meeting about a year and a half ago. There had been a holdup in Rocky Hill, which is a very unique thing here. In the holdup, a gas-station attendant was shot by a masked man who was wearing

"I was not known as a civil libertarian in New York. My reputation was as a law-and-order chief. Law and order meant you go after criminals, whatever race they may be."

gloves. No race at all was given in the description, because no race could be determined. Several officers — and we have focused in on one — went to the owner of the gas station and said that there was a black man in Rocky Hill about a half-hour prior to the robbery, and nobody reported him as suspicious because they were afraid that the Police Chief would call them racist. When the gas-station owner reported this, several Councilmen got up and said, "We are not getting the protection that we deserve in Rocky Hill from the police." I said: "You certainly are. How could it come into anybody's imagination that just because a black person is in Rocky Hill he would be a suspect in a crime committed by a guy 50 pounds heavier and six inches taller?" We have had something else unique for Rocky Hill, a string of robberies. We've had two, and the whole area has had about 11 in the past month, by a blond, white male in his 20's. Nobody is reporting blond, white males as suspicious in Rocky Hill. Subsequent to that, we also had another report of a holdup at the very same gas station I mentioned. The attendant reported that he had been robbed by a suspicious-looking Spanish fellow. He identified the guy, and the police officers went to a local motel and picked up this poor soul whose only crime was being Hispanic. They arrested him for robbery in the first degree and booked him.

LEN: So far, so good...

SCHNABEL: Well, the attendant at the gas station later confessed that he had concocted the whole thing. He said he had left the station for a while and came back and found money missing. So we arrested him for filing a false report. The poor slob who was fingered by this guy was someone whose car had broken down on a highway.

He had come in for a can of gas, and the damn attendant took his gold watch in return for the gas. He knew the motel that the fellow had gone to for the night with his family, and he fingered him to the police. The police, very reasonably, had probable cause: There was a positive ID by the supposed victim of a robbery. But then they got suspicious because the guy said he had been beaten up during the robbery but he had no marks on him. He said the robber had had a knife, but the fellow at the motel didn't have a knife. The attendant confessed. That's why we were commended by the Connecticut Civil Liberties Union for going the extra mile instead of just making a collar on a robbery complaint. I give credit to our police officers. They have, in the words of a consultant's study that was commissioned in an attempt to discredit me, developed one of the highest sensitivities to minority rights of any police department.

LEN: And they've developed this sensitivity without any loss of police effectiveness?

SCHNABEL: Absolutely. I got here in 1982, when the population was about 40 percent less. Our burglaries — and I'm not talking about burglary rate, which can be manipulated — the raw number of burglaries is now 100 less a year than it was in 1982. In fact, two years ago, our total crime equaled the Part I crime that we had had here prior to my arrival. So our effectiveness has not only not decreased, it has increased dramatically. Police operations are being constitutionally and lawfully conducted, and it's appreciated by many of the civil rights groups in the area — which, to be very frank, amazes me. I was not known as a civil libertarian in New York. My reputation was as a law-and-order chief. Law and order meant to me exactly that: You go after the criminals, whatever race they may be.

Rallying around?

LEN: Assuming that not all residents of Rocky Hill are bigoted, overtly or otherwise, have some of them risen to your defense in this whole affair?

SCHNABEL: Very few. Most of the defense that I've gotten has been from sources outside the community. I've had people report to me — in confidence — that they're afraid to voice their opinions publicly because they fear retaliation. So I have not had the amount of support in the community that I would have expected. When I embarked on this whole thing, I had no idea that I was going to be the subject of 150 people appearing at

Council meetings, demanding that I be fired.

LEN: It would seem that at least a few of the members of your department don't agree with you either, given that the local police union voted "no confidence" in you last year. What was the thinking behind that vote?

SCHNABEL: The union leadership was in cahoots with the Town Council, and I don't blame them at all. Here in a small town, the union tries to get intimately involved. They figured they've got residents coming up screaming and yelling to fire the Police Chief, who was brought in to impose discipline on them, and had.

The union had come before the Council previously and had made statements such as, "We never stop minorities because they were minorities, but because Connecticut law allows us to." They quoted a decision from Connecticut law, which they purported to say that blacks in a white neighborhood can be stopped by the police because they're suspicious. My response was that they were exactly wrong; that was not what the decision said. The decision had to do with two suspects who were observed by a citizen breaking into a vehicle and stealing items from the vehicle. The descriptions were given as two male blacks, of whatever ages, wearing whatever, in a green Oldsmobile, with whatever license plate, and on the basis of that the cops stopped them. That is not an authorization to stop blacks in a white neighborhood. It is an authorization to stop suspects whom the police have a reasonable cause to stop on the basis of a description.

LEN: If local officials and bigoted residents have hammered you, and the union is on record as having no confidence in you, what support does that leave you with?

LEN interview: Chief Philip Schnabel

SCHNABEL: It leaves me with the support of the Constitution of the United States, and of our legal system. It also leaves me with the support of the IACP, the support of other progressive Connecticut chiefs, and the support of various civil rights organizations. The consultant's report that was issued at the Council's request categorically stated that the Rocky Hill Police Department now is one of the most sensitive to minority concerns, and the appearance, procedures and operations give the town much to be proud of. I have to take credit for that if I'm going to take the abuse for other things. I'm very proud of the progress this department has made. We have very fine officers in the department; there's a newer breed that has come in and we've given them intensive training. But, like any department that I've commanded or have been in, you've always got a small group of troublemakers, and those are the ones who cause the problems. The sergeants who approved of the other sergeant's racial comment are the type of people who would vote "no confidence" in me, and to be very frank, I would not want those people's confidence. I want their respect and their fear.

Mixed reviews

LEN: The consultant's report that was commissioned by the Town Council praised your professionalism, intelligence, integrity and accomplishments, yet it said you would be better suited to being a police chief elsewhere. With that kind of mixed appraisal, who comes up the winner: you or the Town Council?

SCHNABEL: Legally, I come up the winner. It backs up my lawsuit completely. My lawsuit states that I was denied pay raises in retaliation for my constitutionally-protected right of expression on matters of public concern. Professionally, it does me great harm, because I certainly don't want to be branded — and I am at this point — as a police chief who has been at odds with his Town Council. However, on an issue like this, I think that not to be at odds with the Council would have placed me in violation of state law. Connecticut has a whistleblower statute, and for me to have followed the Council's and Town Manager's directions to not only discipline the lieutenant but to change his assignment and put him on midnights for blowing the whistle on the racist conditions in Rocky Hill would have placed me in violation of Connecticut general statutes. So it's a Catch-22 situation.

LEN: At the same time, though, the Town Manager and the Council claimed vindication as a result of the consultant's report...

SCHNABEL: Let me backtrack a bit. The Council refused to give me a raise in June of '87, pending the completion of a consultant's report. They tried to get a consulting firm to do it, and were refused. The Council then got an ex-administrator of the DEA, a very able administrator, to come in and do a consultant's report about a year and a half after they had said they were initially going to do one. What they're referring to is not that consultant's report. I had asked at the time for the Connecticut Police Chiefs' Association and the IACP to support my position that minorities' constitutional rights be respected and protected. The IACP came out in support of my position; the Connecticut Police Chiefs' Association did not, and that's what the Council is referring to. The IACP praised me for my concern for constitutional rights of minorities. The Connecticut Police Chiefs' Association knocked me for not disciplining the lieutenant.

What they said was that the discipline should have been left up to me, however I should not have exonerated him, and that he should apologize to the Council and the Manager. I took exception to that, and so did many other Connecticut chiefs. I did not agree with that report. The IACP, on the other hand, said: "On behalf of the IACP, I would like to commend you for your concern about the rights of law-abiding minority citizens in your community. As law enforcement officials it is our responsibility to protect to protect all of our citizens without infringing on the rights of a few." They also said: "It is the responsibility of a police chief to decide when and how to discipline his officers without undue interference. We therefore support your right to make this disciplinary decision." The Connecticut police chiefs concurred with that; however, their report went on to

castigate the lieutenant for not apologizing, and me for exonerating him. I thought it was perfectly appropriate to exonerate him, because I know his actions were taken in a good-faith effort to respect constitutional rights. He had the courage of his convictions, and he did not choose to bring all of this out in public. The only time this came out was when a Councilman filed a civilian complaint against him over this thing, after we disciplined the sergeant. The lieutenant supplied a statement, which of course is his right in an internal investigation.

LEN: Even though you've steadfastly refused to impose any discipline on Lieutenant Herbst, does the fact that you disagreed with his decision to recall the cruiser and reaffirmed that disagreement in the form of a policy directive imply any repudiation of your support of him?

SCHNABEL: Absolutely not. I feel that discipline, if one can term it that, is a training process. I don't believe in disciplining people when they act in good faith the first time. The second time they say that they acted in good faith we get to a question of whether discipline is warranted. But this has to be tied in to the overall picture. The lieutenant, along with other officers who stepped forward confidentially, told me that they had been trained prior to my getting here to stop minorities in town. We got calls about black people at bus stops, wearing three-piece suits, as being suspicious. Residents in this town — not all, but many — feel that a minority person in this town is *per se* suspicious. I am not a reformer; I'm not an activist. I very candidly stated when this whole thing started that when I was a

Precinct in Harlem, I looked around and I didn't see a white face. I suspected very strongly that all the people around me were criminals because they were black. Some old-time Harlem cops gave me a very sage bit of advice. I was a foot cop, and we didn't have portable radios in those years. The old-timers said to me: "Who the hell do you think is calling in the 10-13's [officer needs assistance] when cops get in trouble?" That really opened up my eyes. Ninety percent or more of the people in the ghetto areas, I found, were law-abiding people who don't want to be victimized by their own kind who happen to be criminals. Just because they're black doesn't make them criminals. So I had the same white, middle-class mentality as anybody else did, and I think the same thing is in Rocky Hill. If they see a black in their area, they figure, "What is he doing here?" We've had postmen, repair people, telephone company people, all regarded as suspicious simply because they were black. While I understand the stereotype, I can't accept it as a public official, and I certainly am not going to endorse a policy like that.

Had I only known...

LEN: An article in Connecticut magazine this past February quoted the Town Manager as saying that had he known how things were going to turn out, he would never have hired you in the first place. And you reportedly replied that you wouldn't have taken the job if you had known what lay in store. Do you have any regrets about the past seven years in Rocky Hill?

"The lieutenant, along with other officers who stepped forward confidentially, told me that they had been trained prior to my getting here to stop minorities in town."

trooper in upstate New York, and when I was a cop in New York City, that was the policy. But that was 35 years ago. When I was a cop in Harlem, they put me on a prostitution post, and the purpose of that was that when you saw a white guy wander onto the post, you chased him, because the assumption was he was either there for a woman or for drugs. That was accepted completely. When I was a trooper, if I saw a black or a Hispanic in a white area, I stopped them and checked them out. Police did that routinely until a Supreme Court decision lambasted one California police department for doing so.

I was going to mention that I read the Long Beach article in your April 15 issue. Of course, Long Beach is a lot bigger than Rocky Hill, but if you read the article you can make an analogy between there and Rocky Hill. As you reported it, the union president there said that charges of police brutality and racism against the department were absurd and politically self-serving. That sounds like Rocky Hill, when they started saying it was a smokescreen. Then when the human rights commission came out and said, "Oh yes, there is racism, and the Lieutenant was telling the truth," the Council said it's the Chief's fault because he didn't do enough to combat it. My riposte to that is that I certainly did. So I'm told I should have done more, but when I did do more and I suspended a sergeant, I was told that the discipline was too harsh and that the sergeant's remarks were only a joke. So the analogy to Long Beach is really apt, although I think the situation there is a lot more serious since that NBC expose.

LEN: Is it possible that any lingering racial paranoia among the Rocky Hill townfolk has its roots in more legitimate, factual bases, such as transient black or Hispanic offenders from larger urban centers like Hartford, Bridgeport and New Haven?

SCHNABEL: As far as our statistics show, there's absolutely no basis to it. The majority of people that we've arrested in Rocky Hill for crimes are white people. But I think that your analysis is very apt, though, because we are only about six miles away from one of the highest crime areas in the state, if not the country. Hartford has a very high crime rate, and a very high proportion of minorities. I think the fear is the same that any white, middle-class community or person has. I come from upstate New York, and when I got sent to the 28th

SCHNABEL: Some. The regret that I have, I guess, is that I came here with the idea of staying until I got my law degree, and then moving on to bigger and better things. The only offer that I've gotten since this whole thing started was a request from the national Commission on Accreditation to consider going to Guatemala to assess the national police force down there. I think the Town Council arranged it. I might have had a hand grenade thrown under my car once I got down there.

I would not have accepted this job had I known that I was expected to go along with unconstitutional activities. Absolutely not. You see, one thing I learned when I became a police chief — which, believe me, I knew nothing about when I was a lieutenant in New York — was about personal liability. When we had lawsuits, they were against the New York City Police Department, not against Lieut. Phil Schnabel. When I got out of there and became a chief, and the lawsuits were being filed against me for depriving citizens of their constitutional rights, I learned in a hurry, and that's why I went to law school.

LEN: As far as you can tell, did the incident with Lieutenant Herbst's recall of the cruiser get blown out of proportion, or did it serve to catalyze and unveil problems that were lying below the surface?

SCHNABEL: I think both are true. It was blown out of proportion, because we never did establish who did steal a car. We recovered the vehicle about two days later in another part of Connecticut. The blowing out of proportion served to reveal all these other facets. I got trained that internal investigations are confidential. In Connecticut, once an investigation is finished, it's not confidential; it's subject to Freedom of Information. I advised the Town Manager — and this is where I made a mistake, because I should have advised the Council personally — not to discuss this in a public meeting. The lieutenant's allegations and statements which he submitted in the internal investigation were not only true but were very damaging to the town's reputation. It could have been handled better internally. Had the Council paid heed instead of seeking retribution and retaliation, we could have come out of this as a community that recognized it had a problem and faced it responsibly. Instead we came out of it as a community

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Schnabel: "I'm standing up for principle"

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that wanted to chop off the heads of the bearers of bad tidings.

LEN: Short of setting off a political powderkeg, is there much that the Police Department in Rocky Hill can do in a positive sense to help eliminate bigotry among townsmen?

SCHNABEL: Yes, and we have. That was one of the reasons I was cited by the Connecticut Civil Liberties Union. We developed not only a sensitivity on the part of most of the officers to racial issues, but the desire to see that people are treated properly and equally. A cop's instinct is to lock up people. Many police departments, including those that I've been in, would have arrested a person for whom there was a positive ID on an armed robbery and then let the courts decide the matter. Instead our people went deeper into it, found out that the alleged victim had perpetrated a hoax, and arrested him. I'm very proud of that. I have also appeared before a local human rights commission, which was formed by the Council in response to these racial allegations, and asked them to conduct a program for citizens in Rocky Hill to try to sensitize them to the law. I was going to do this myself, but I think that my method is perhaps too commending. Instead of me preaching and telling them what the law is, I thought that maybe a human relations commission could get the message across better. It's very difficult to overcome stereotypes, and I certainly don't pretend to have the solution to that. But we've made it known in the Police Department that when a citizen calls us up to report a suspicious person, we will ask them, "What is he doing?" Behavior is the key to suspiciousness, not race.

The business at hand

LEN: Has the continuing racial situation compromised your ability to lead and administer the department in terms of traditional public safety responsibilities, by forcing you to divert time and energy away from the matters you were hired for?

SCHNABEL: I was hired to instill discipline and a respect for the constitutional rights of citizens in the officers of this department, and that has been accomplished — probably more so because of this racial controversy. It's a positive by-product. The negative by-product is the tremendous strain on myself and my family. I'm lucky that all my children are grown and are not here. If they were younger and living at home, they might be subject to a lot of intimidation. But I feel I'm standing up for principle and would never back down. I was ready to leave here when I finished law school, to move on to bigger and better things. At this point, until my lawsuit is finished, that avenue is blocked, both for personal and professional reasons.

But as far as the department is concerned, I think we've instilled a sense of discipline that, while some resent it, has been recognized by the consultant hired by the town as being outstanding professional procedures. The union was bitching about there being too many rules, and then the consultant came out, the IACP came out and said that the procedures are perfectly consistent with professional standards. The procedures not only were recognized but were used by the Connecticut Police Chiefs' Association to give to other departments to follow as model procedures. So I'm very proud of that. But I don't think a police chief is subject to a popularity vote. If he was, then the job would be untenable and you could not function. I've been a police chief in four places, including this one, and so I've made my bones, as they say. If I had come here straight from being a lieutenant in New York, I don't think I could have withstood it.

LEN: Notwithstanding Frank Sinatra's famed reference to New York: "If I can make it there, I'll make it anywhere"?

SCHNABEL: When I retired from the New York Police Department, I agreed totally with Sinatra. I thought I had seen it all. I think I saw about as much crime as you could possibly see. However, on the other end of it, I had never dealt with a union or the politics of a small town.

LEN: One police executive we spoke with recently said that there can come a point where local officials make it

impossible for a chief to function effectively, through budget constraints or other means, and at that point the chief has a personal and professional obligation to step down rather than hang on in a counterproductive situation. Apparently things in Rocky Hill have not yet reached that saturation point. . .

SCHNABEL: I think that that attitude is counterproductive. In my experience, you can't please everybody. You are going to make enemies one way or another. When I first got here, I stopped widespread ticket-fixing, which caused a lot of frayed nerves around here. It was a condoned thing. The places that have hired me had substantial problems, and to straighten them out you're going to make enemies. There are entrenched interests. Sure they can cut your budget up to a point, but you're still going to have police officers, and the challenge to an administrator is to make the most effective use of what you're given. The consultant's report mentioned the innovative procedures that we've used — and I really am not an innovator. What I used was Park, Walk and Talk. They had that when I was a cop in New York; here it was a great big deal. But it works. You see more cops. We also used a dummy in a police car to slow speeders down, but we had that when I was a New York state trooper. So I think there is a challenge to a police administrator.

Who rules the roost?

LEN: It was reported in one article that the Town Manager and Council adopted a kind of "hands-off" stance toward the administration of the Police Department at the time you were hired. Have they effectively renounced that stance?

SCHNABEL: To a layperson it may seem like it was a hands-off policy, but it's not. You have a budget every year, and the budget is the means of control over the police department. As far as procedures are concerned, I set up the procedures and I still do, because they hired me for my expertise in that respect. The Manager, of late, has chosen to interfere in the disciplinary process, but he has that right under the Town Charter. It's my

highest on the promotion list of the three lieutenants, who were all promoted on the same day. So to me it's obvious that the way you determine seniority is by the place on the list. Here they opted to go by the years in the department. So conceivably a patrolman who had years on a lieutenant would be retained in the event of a cutback and the lieutenant would be dropped from the department, which is crazy. Anyway, they professed not to know that Lieutenant Herbst would be the one that was going to be demoted. However, a confidential memo, which was unearthed under Freedom of Information, very clearly showed that they knew it was Lieutenant Herbst prior to their action, and that they planned it to have him lose status and that the Town Manager was going to order me to put him on midnights, although it was illegal under the Town Charter for him to do so, since I assign personnel. So they were going to demote Lieutenant Herbst, he filed a lawsuit, the court issued an injunction and the town backed off on demoting him. But they got lambasted all over the country with editorials in the newspapers about their actions. It was so pretextual, it was really ludicrous. He is still a lieutenant, and I am still being urged by the Council to put him on midnights. He is rotating between 4-to-12's and day shifts because one of the other lieutenants has retired and they've refused to promote anybody else to fill the slot, hoping that I will join in their retaliatory scheme to put him on midnights. In a small department like this, there really is no use for him on midnights.

LEN: You've mentioned a number of lawsuits that have been filed in connection with the problems of the past two years. Who is currently suing whom, and on what grounds?

SCHNABEL: I have a lawsuit against the Town Council and the Town Manager in Federal District Court in Connecticut for a violation of my constitutional rights in that they retaliated against me for speaking out on the racism issue in Rocky Hill, by denying me pay raises, by defaming me, and by trying to fire me. Of course, they've backed off from that too, saying now that they're not trying to fire me. I also have a complaint

"I was hired to instill discipline and a respect for the constitutional rights of citizens in the officers of this department, and that has been accomplished."

view that I have authority that I am legally authorized to exercise. Once that authority is bypassed, I no longer have any liability or responsibility. When I disciplined the officer who made the racial remark, he filed a grievance and the Manager apologized to him for upholding my discipline. The officer then appealed it to the state labor board, and two years later he pleaded guilty and took the suspension I had originally meted out. But let's just say that the Manager had said, "Okay, your remark was perfectly appropriate, and the discipline is vacated." I'm off the hook. I've done what I can do legally. We just had another complaint against the same officer, from a black lady who called in and was very irate that her guests were checked out on Thanksgiving. He said to her: "I don't have to listen to this stuff. If you don't like it, go file a civilian complaint, because I'm going to hang up on you." Click. He hung up. I suspended him, but the Manager overruled it. He said that the officer had acted perfectly consistent with the department procedures in dealing with a hysterical caller. Now they ain't my procedures, I'll tell you that right now. So the Manager takes that upon himself, and if something does happen in the future, I've got the perfect defense.

LEN: In at least one instance, the Town Council took a budget-cutting measure, to the tune of about \$1,600, which could have ended up costing Lieutenant Herbst his job. . .

SCHNABEL: What the Town Council did was, on the pretext of saving \$1,600, to say that in last year's budget they were going to eliminate one lieutenant's position — professing not to know which lieutenant would be eliminated. Now I go by the New York method: Your rank on the list determines seniority if you're promoted on the same day. Lieutenant Herbst was the

with the Connecticut Human Rights Commission on the same issue, that under Connecticut law anyone who assists the Human Rights Commission in an investigation cannot be retaliated against. My contention is that I was. Lieutenant Herbst has a suit in Federal District Court for a violation of his constitutional rights, in that he has been subjected to attempts to demote him and to retaliate against him for his public expression of concern on racism. He has a complaint filed with the Connecticut Human Rights Commission, under the Connecticut law forbidding retaliation against a person who reports a possible violation of law to a public agency — the whistleblower statute. The ex-commander of the Crime Prevention Unit, who was fired by the Town Council — his position was eliminated in the budget — has a lawsuit against the Town Council and the Manager for violation of his constitutional rights for speaking out on matters of racism. A citizen filed a lawsuit against the Town Council for the appropriation of town funds in violation of the Town Charter to defend themselves against all these lawsuits. There is an action against the Town Council that is going to the Connecticut Supreme Court, for violating the Freedom of Information Act by meeting in executive session to discuss my performance — this was right after the racial incident when they voted to withhold my pay raise pending a consulting study, without allowing me the opportunity to defend myself. I made a complaint to the Freedom of Information Commission, and they found in my favor. The Town appealed that to the Superior Court, which found in their favor, and now the Freedom of Information Commission is appealing to the state Supreme Court.

LEN: Have any of these actions been resolved?

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BJS survey, UCR differ on rise in 1988 crime

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place last year in Atlanta than in any other U.S. city, with 2,023 per 100,000 people. Cedar Rapids, Iowa, had only 63 per 100,000 population.

Miami Beach Tops the List

Flint, Mich., recorded the highest incidence of rape with 187 per 100,000 residents. Cedar Rapids once again ranked lowest, with only six reported rapes per 100,000 residents.

The robbery capital of the United States is Newark, N.J., which recorded 1,386 per 100,000 people. Only 44 robberies per 100,000 occurred in Sterling Heights, Mich., last year.

Overall, including the property crimes of burglary, car theft and larceny, Miami Beach, Fla., was the nation's leader with 17,592 reported offenses per 100,000 residents. Sterling Heights, Mich., ranked lowest in overall crime with 44 incidents per 100,000. The national average, the newspaper said, is 8,823 incidents per 100,000 population.

Several cities with populations over 100,000 recorded double-digit increases in overall crime in 1988 compared to 1987. These include: Tucson, Ariz., 15 percent; San Diego, 10 percent; San Francisco, 14 percent; New Haven, Conn., 20 percent; Washington, D.C., 17 percent; Miami Beach, Fla., 27 percent; Atlanta, 17 percent; El Paso, Texas, 21 percent; and Newport News, Va., 15 percent.

Conversely, a number of cities recorded decreases of 10 percent or more in overall crime during 1988, including: Denver, 10 percent; Hartford, Conn., 12 percent; Cedar Rapids, Iowa, 16 percent; Grand Rapids, Mich., 10 percent; Minneapolis, 12 percent; Oklahoma City, 10 percent; and Nashville, Tenn., 14 percent.

Forum:

The seductive trap of performing 'Real Police Work'

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tioned earlier, 80 percent or more of our contacts are made with citizens during non-criminal contacts, we would lose most of our contacts by relieving our officers of non-RPW tasks.

The loss of positive contacts with citizens who are not involved in criminal acts might lead to citizens viewing the police as aloof and thus being less willing to call us with information or to report suspicious acts. It is possible that in our rush to handle only RPW we might reduce our chances of catching crooks and solving crimes. Our efficiency and effectiveness might be reduced.

Our history is replete with cases where we separated ourselves from the citizens we serve, lost their respect, or never gained their respect in the first place. Sometimes riots occurred as a result. Following each of the riots we were told by various commissions to develop stronger ties with the community, hire better

Crime Survey Differences

The UCR figures followed closely on the heels of preliminary results from the 1988 National Crime Survey, the annual BJS study that is extrapolated from interviews with approximately 99,000 people nationwide. The crime survey, which indicated a 1.8-percent increase in personal and household crimes, said there were an estimated 35,989,000 offenses committed during 1988, compared to the estimated 35,336,000 offenses committed the previous year.

"The increase reverses a declin-

ing trend that began in 1981," said Joseph Bessette, the Acting Director of BJS. "Crime rates reached their lowest levels in 1986, when there were fewer offenses for most categories than at any time since the National Crime Survey commenced in 1973."

As if to shed light on the Uniform Crime Reports, which reflects the number of crimes reported to police agencies, the National Crime Survey said 36 percent of all crimes were reported to law enforcement agencies in 1988. The reporting rate for violent crimes was 47 per-

cent; for household crimes, 39 percent; and for theft-related crimes, 29 percent.

NCS figures showed a 2.6-percent jump in household crimes, paced by a 9.6-percent increase in motor-vehicle thefts. BJS said an estimated 1,066,700 vehicles were stolen in the United States last year.

Up or Down?

In contrast to the UCR, which reported a 1-percent decline in burglaries, the crime survey indicated an increase of 6.3 percent the crime. The two reports also

showed marked differences in the number of rapes, with the crime survey pointing to a 12.8-percent increase, compared to the 1-percent rise noted in the UCR.

Overall, personal crimes rose by 1.2 percent, led by the increase in rapes and a 6-percent increase in assaults. Robberies, according to the crime survey, decreased by 5.9 percent, in contrast to the UCR's estimated 4-percent increase.

Final figures for both the 1988 Uniform Crime Reports and the National Crime Survey will be released later in the year.

Pursuit policies undergo renewed scrutiny in the face of financial, philosophical concerns

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refrain from speeding unless responding to "life and limb" situations. He said the order is aimed at "protecting the officer and the citizen."

"Traffic is getting so bad in our area that we cannot safely run above the speed limit — and get there any quicker either," he said. "And I have found that the blue light and the sirens only confuse citizens" — sometimes causing traffic accidents involving cruisers.

Gilbert said there are about one or two accidents a month involving patrol cars in his county, split 50-50 between responses to calls and pursuits.

In Orange County, Calif., increasing "urbanization" is directly related to the number of accidents resulting from pursuits, said Cypress Police Chief Ron Lowenberg, who is president of the Orange County Police and Sheriff's Association.

Firearms Policy Analog

"We're facing some of the ur-

banization problems that Los Angeles County's probably been facing for the last 10 or 15 years with increased traffic and increased criminal activity in our county," Lowenberg told LEN. The result has been an increase in incidents involving pursuit driving.

"One of the things we've noticed here in California is a need for additional training," Lowenberg said, adding that the California Peace Officers Standards and Training (POST) Commission is developing a driving simulator that would have the capability of simulating pursuit conditions.

As police departments rethink the issue of pursuit driving, "we are about where we were with police firearms policies a decade ago when police administrators first started to implement restrictions on the use of firearms by police," said Louis Mayo, president of the consulting firm of Murphy Mayo & Associates and a former National Institute of Justice official.

Mayo, who initiated an NIJ

study into pursuit driving, the findings from which are not yet complete, told LEN that since policy reviews on deadly force were instituted "the number of citizens killed by police has dropped to less than 50 percent of what it was a decade ago."

"In my opinion, we're probably killing more people with police cars than we are with police

"We're probably killing more people with police cars than we are with police guns."

guns," Mayo noted. But the loss of life — and millions of dollars in liability suits against agencies — has caused police administrators to realize that the area of pursuit driving is a "volatile, dangerous situation."

Tendency to Pursue

"Police departments that have tried to put in restrictive policies on pursuits have found that they have to word these policies very tightly and monitor them very closely," Mayo said. "There's a

tendency for some police officers to want to pursue automobiles and not to make a record of it."

Ultimately, the issue can be viewed from philosophical or fiscal perspectives, Mayo suggested.

"If you say that a fundamental mission of the police is to protect life, then for a police officer to take a non-life-threatening situa-

tion and escalate it to a life-threatening situation is in direct contravention of their mission is to protect life," he said.

He then added: "Forgetting about the humanitarian aspects, on a purely financial basis the word is starting to get around to police administrators, based on happenings in other jurisdictions, that if you don't want to pay out sums in the million-dollar range, you've got to control your pursuits."

officers, train them better and treat the members of the community with respect. In "The Police in America," Samuel Walker points to disturbances in 1915, 1919, 1943, and more recently during the decade of the 1960's, where the police appear to have been part of the cause of the disturbances. Following the disturbances in each case we were told to develop stronger ties with the community and to make other changes. The National Advisory Commission on Criminal Justice Standards and Goals, in its 1973 report on the police, called for the building of citizen trust in the police through additional interaction between police and citizens, in an attempt to solve additional crimes and prevent disturbances.

We have made many of the changes recommended by the various commissions. We are hiring better officers and training them more. We have made attempts to improve relationships with the citizens we serve. Public

relations, crime prevention, crime-stoppers, team policing, law-related education and other initiatives are examples of the programs we have developed. Many of these programs have met with much success in many communities. While we cannot do much to alleviate the problems caused by oppressive poverty, we can and have done much to try to keep the police from being the issue.

If we separate those providing RPW from those providing community services, it is possible that we increase the risk of riots and disturbances in our communities. Comments made following the recent disturbances in Miami are familiar. It is too early to be able to assess the cause of these recent disturbances, but it is possible that strong community-relations programs might have reduced the scale of the incident.

We can solve crime, catch crooks and serve the community.

Many agencies have taken this approach. Problem-oriented policing and community-oriented policing are two examples of programs which agencies have implemented in an attempt to solve crime and serve the community. Crime is not just a law enforcement problem; it is a community problem, and the solutions are as varied as the communities. The solution to crime problems includes the coordination of all agencies who might solve the problems, along with the involvement of citizens.

The problems associated with dividing agencies into those who perform RPW and those who perform community services might be overcome. It is possible that departments could implement programs which would cause officers (those performing RPW) to have frequent contact with citizens. However, the pressures of work would inevitably lead to reduced efforts at maintaining

community contacts. Later we would look around and wonder why our relations with the community have worsened. In time, probably following a riot, another commission would tell us to develop stronger ties with the community and to treat members of the community with respect.

Separating ourselves from the community-service aspects of our job is tempting. Catching crooks and solving crime is challenging, exhilarating and fun. But if we choose this option, we and the communities served will suffer as a result. We are not the total answer to crime-related problems, nor is the answer to separate ourselves from the non-criminal aspects of our work. Working with the community and leading the community to meet and resolve its crime and crime-related problems is a better answer. We must avoid falling into the seductive trap of trying only to catch crooks and solve crimes.

Jobs

Chief of Police. Kingsville, Tex., is seeking an experienced police executive to head a full-service agency with 56 employees. Kingsville, located near Corpus Christi, has a city manager/city commission form of government.

Requirements include a bachelor's degree in criminology, criminal justice or a related field, plus 10 years of law enforcement experience, at least five years of which must have been in a supervisory level. Applicants must have a thorough knowledge of police administration and operations, budget, personnel and financial matters; ability to write clear and concise reports; ability to use initiative and good judgment, and ability to deal effectively with the public. Graduation from a major law enforcement training program is preferred. Salary range: \$30,335 to \$38,700, with full benefits.

To apply, send resume before

July 9 to: City of Kingsville, Personnel Director, P.O. Box 1458, Kingsville, TX 78363. EOE.

Crime Laboratory Director. The Chicago Police Department is seeking qualified applicants for the position of Director of the Crime Laboratory Division.

The director will be responsible for all administrative and organizational aspects of the laboratory, including managing the complete range of technical and analytical work performed in a full-service crime laboratory. Applicants should be knowledgeable in the areas of forensic science, criminalistics, evidence gathering, analysis and evaluation, and laboratory procedures and management. Applicants should have an educational background in the natural sciences, including at a minimum a bachelor's degree in a natural/forensic science; a graduate degree in a natural science or business administration is preferred. An equivalent combination of training and experience is acceptable.

The successful candidate must be an actual resident of the city of Chicago at the time of appointment. Salary range for the posi-

tion is \$48,804 to \$64,284. To apply, send resume before Aug. 1, 1989, to: Department of Personnel, City of Chicago, City Hall, Room 1101, 121 North LaSalle Street, Chicago, IL 60602. AA/EOE.

Police Officer. Applications are being accepted on a continuous basis for positions throughout Brevard County, Fla. The Brevard Police Testing and Certification Program provides a centralized recruiting and testing service for all police officer positions in the county.

Applicants must pass medical, physical fitness, psychological, polygraph and other screenings. Successful applicants will be eligible for appointment to the police academy, located at the Criminal Justice Center in Melbourne, Fla. Contact individual agencies in the county for current salary/benefit information. Applicants must obtain an approved medical evaluation before testing. General walk-in testing is conducted over a three-day period every three weeks.

For further information and schedule, contact: PCTP, Criminal Justice Center, 3865 N. Wickham Road, Melbourne, FL 32935. (407) 254-0305, ext. 3531.

EXECUTIVE SECRETARY

Michigan Law Enforcement Officers Training Council

This is an executive level non-classified position with the state of Michigan, Department of State Police in Lansing. The Executive Secretary is appointed by and reports to the Law Enforcement Officers Training Council pursuant to Public Act 203 of 1965. Salary range is from \$40,590.72 to \$55,979.28 annually plus liberal fringe benefits as explained in the annual contract.

The Michigan Law Enforcement Officers Training Council is charged with setting minimum employment and training standards. The Executive Secretary directs the resources and personnel of the agency and administers the policies and programs of the Council with an annual budget of approximately \$1.5 million.

Applications may be obtained from Sheriff Henry Zavislak, Chair, MLEOTC Selection Committee, 212 W. Wesley Street, Jackson, MI 49201. Application deadline is August 15, 1989. The State of Michigan is an Equal Opportunity and Affirmative Action Employer.

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LEN 293

Name _____ Title _____

Agency _____

Mailing Address _____

City _____ State _____ ZIP _____

LEN interview: Philip Schnabel

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SCHNABEL: No, they're all pending. And remember, this is Rocky Hill, not New York. The town had a budget of \$40,000 for legal expenses last year; they spent \$218,000.

LEN: That must not sit very well with the taxpayers of Rocky Hill...

SCHNABEL: Absolutely not. The citizenry is quite up in arms.

Right-wing retreat

LEN: Do you find a certain irony, perhaps, in the fact that you have been commended for your actions by groups that are often antagonistic to the police?

SCHNABEL: I find that to be the irony in this whole situation. They had a front-page article in the Hartford Courant last year, and it's very unusual for a small-town police chief in the Hartford area to get that kind of coverage. I said then that I'm really perplexed because I am a conservative and always have been. At that point, I was the darling of the liberals. If you had told me when I was in New York or in other places that I would get the support of these groups for very simply saying that we are going to provide the same type of police protection to the black area of town as we do to the white area, it would have seemed like a revolutionary concept. A commendation from the CCLU? Never in a million years. But you've got an executive director of the CCLU, Bill Olds, who is not your normal wild-eyed activist, as people tend to portray civil libertarians. He is a very pragmatic executive, and he's been very supportive. So I think I've learned, too. Things are not always black and white; there are grays in between. I think a combination of law school and this whole situation has caused me to develop a little, too, and to retreat a bit from the right-wing kind of guy that I always have been.

LEN: One article referred to your long-time professional suspicion of Freedom of Information requests. Has there been a subtle change of perspective on your part as a result of this whole affair?

SCHNABEL: Absolutely. I was brought up like every other cop that you've ever come in contact with — suspect the press, put them off as much as you can, and keep what we do a secret. However, being a public official I found that if you're not doing anything wrong, from a very selfish standpoint it works to your advantage to conduct business in an open manner. There's a cop mystique, and I hope that I've advanced beyond that.

LEN: Given all of the problems that have clung to Rocky Hill over the past few years, how have you managed to hang on as Police Chief for seven years?

SCHNABEL: Well, for the first five years I was the greatest thing since Swiss cheese. That is pretty well documented by the two consultants' reports we had. Both of the reports are pretty consistent, and I was very flattered by them. It's embarrassing for me to even repeat it, because it was very laudatory. But I think this is the greatest challenge of my professional career. Every place else I've been, I was the law-and-order chief who had the hacking of everyone. Here, I'm fighting a battle which, if it were a larger community, might really give me concern. But this is a small community, and I think that we have to be guided by the laws of this country. We are not a power unto ourselves. You cannot pander to people's stereotypical racial fears. You can, but at your peril as a public official, and I won't do that. So it's a big challenge, and that's how I've been able to survive.

LEN: At this point, is your continuing tenure as Police Chief in Rocky Hill a day-to-day proposition, or do the pending lawsuits keep you hanging on?

SCHNABEL: If it were a day-to-day proposition, the people who are out to cut my head off would have done it quite a while ago. I think the realization has dawned, not only through the lawsuits but through the advice of attorneys, that you can't do things like that. As far as I'm concerned, I will stay here until I retire again. I will see that legal guidelines are followed — not only by the police, but by the public. I said about a year ago that if I got offered a vacancy on the Supreme Court right now, I couldn't take it; it would eat my guts out. I couldn't leave while this fight is still going on. The Town has offered me what they consider to be a sizable amount to leave, but that will not sway me.

LEN: Is there an unfinished agenda that you feel the need to tackle before you would be comfortable leaving?

SCHNABEL: I'd agree with that. I think that I have a duty and an obligation to make sure that things don't slide back. If I left here right now to go on to a better position — let's say they gave me a million dollars, which would be hard to refuse — I know without a doubt that it would be a victory for the bigots in this town. I would never do that.

Upcoming Events

JULY

17-18. **Investigative Technology.** Presented by Richard W. Kobetz & Associates. To be held in New York. Fee: \$350.

17-19. **Street Tactics & Officer Safety.** Presented by the International Association of Chiefs of Police. To be held in Denver. Fee: \$350 (IACP members); \$400 (non-members).

17-20. **Crime Scene Search & Investigation.** Presented by the Criminal Justice Center Police Academy, Sam Houston State University. Fee: \$125.

17-20. **The LSI Course on Scientific Content Analysis.** Presented by the Laboratory for Scientific Interrogation. To be held in Chicago. Fee: \$500.

17-21. **Advanced Drug Law Enforcement.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

17-21. **Crime Prevention through Environmental Design.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$345.

17-21. **Fingerprint Classification.** Presented by the Institute of Police Technology & Management. Fee: \$395.

17-21. **Technical Surveillance II.** Presented by the National Intelligence Academy. Fee: \$650.

17-21. **Homicide Investigation: A Dynamic Approach.** Presented by the Institute of Police Technology & Management. Fee: \$395.

17-21. **Police Budget Workshop.** Presented by the Institute of Police Technology & Management. Fee: \$376.

19. **Criminal Justice in the 1990's: A Focus on the Future of Information Management.** Presented by SEARCH Group Inc., in cooperation with the U.S. Bureau of Justice Statistics. To be held in Washington, D.C. No fee.

19-20. **Executive/VIP Protection.** Presented by Richard W. Kobetz & Associates. To be held in New York. Fee: \$350.

19-20. **Investigation of Seatbelt/Child Restraint Injuries.** Presented by the Institute of Police Technology & Management. To be held in Phoenix. Fee: \$200.

19-21. **Understanding Body Movement in the Interview/Interrogation Process.** Presented by the University of Delaware. To be held in Ocean City, Md. Fee: \$400.

19-21. **An Executive Guide to the Budget Process.** Presented by the International Association of Chiefs of Police. To be held in Albuquerque, N.M. Fee: \$360 (IACP members); \$400 (non-members).

19-21. **Microcomputer Technology for Law Enforcement Officers.** Presented by the Criminal Justice Center Police Academy, Sam Houston State University. Fee: \$195.

24-25. **Public Safety Radio Dispatchers' Seminar.** Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$275.

24-26. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Houston. Fee: \$495.

24-26. **Homicide Investigation.** Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$375.

24-26. **Law Enforcement Sniper/Counter-Sniper Development.** Presented by Executech Internationale Corp. Fee: \$375.

24-26. **Understanding Body Movement in the Interview/Interrogation Process.** Presented by the University of Delaware. To be held in Brewster, N.Y. Fee: \$400.

24-27. **The LSI Course on Scientific Content Analysis.** Presented by the Laboratory for Scientific Interrogation. To be held in Austin, Tex. Fee: \$500.

24-28. **Fingerprint Classification.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

24-28. **Investigation of Narcotics & Dangerous Drugs.** Presented by the International Association of Chiefs of Police. To be held in Seattle. Fee: \$450 (IACP members); \$500 (non-members).

24-28. **Land/Sea/Air Contraband Interdiction.** Presented by the Broward Sheriff's Office, Organized Crime Centre. To be held in Fort Lauderdale, Fla. Fee: \$300.

24-28. **Criminal Patrol Drug Enforcement.** Presented by the Institute of Police Technology & Management. Fee: \$395.

24-28. **Video I - Introductory Surveillance Operations.** Presented by the National Intelligence Academy. Fee: \$650.

24-28. **Executive Development.** Presented by the International Association of Chiefs of Police. To be held in Chicago. Fee: \$495 (IACP members); \$545 (non-members).

24-Aug. 4. **Advanced Traffic Accident Investigation.** Presented by the Institute of Police Technology & Management. To be held in Orlando, Fla. Fee: \$525.

24-Aug. 4. **Traffic Accident Reconstruction.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$695.

25-28. **Police Internal Affairs.** Presented by the Institute of Police Technology & Management. Fee: \$350.

26-27. **Dispatcher Stress & Burnout Reduction.** Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$275.

26-28. **Police Interview & Interrogation.** Presented by the University of Delaware. To be held in Winston-Salem, N.C. Fee: \$350.

26-28. **Comprehensive Police Intelligence**

Management. Presented by the International Association of Chiefs of Police. To be held in Denver. Fee: \$350 (IACP members); \$400 (non-members).

26-28. **Occult & Cult Crime Investigation.** Presented by the University of Delaware. To be held in Braintree, Mass. Fee: \$360.

27-28. **Interviewing the Sexually Assaulted or Abused Child.** Presented by the University of Delaware. To be held in Charleston, S.C. Fee: \$300.

28. **Cross-Cultural Training for Peace Officers.** Presented by the Criminal Justice Center Police Academy, Sam Houston State University. Fee: \$10.

AUGUST

1-3. **Police dBase III Plus Applications.** Presented by the University of Delaware. To be held in Newark, Del. Fee: \$400.

1-3. **High-Risk Warrant Service.** Presented by Executech Internationale Corp. To be held in Washington, D.C. Fee: \$300.

1-3. **Occult & Cult Crime Investigation.** Presented by the University of Delaware. To be held in Charleston, S.C. Fee: \$360.

1-4. **Police Media Relations.** Presented by the Institute of Police Technology & Management. To be held in Phoenix. Fee: \$350.

2-3. **Dispatcher Stress & Burnout Reduction.** Presented by the University of Delaware. To be held in Florence, S.C. Fee: \$275.

2-4. **Administering a Small Law Enforcement Agency.** Presented by the International Association of Chiefs of Police. To be held in Nashville, Tenn. Fee: \$360 (IACP members); \$400 (non-members).

3-4. **Management of a Detective Unit.** Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$326.

7-9. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Pittsburgh. Fee: \$495.

7-9. **K-9 Handler Officer Survival.** Presented by Executech Internationale Corp. Fee: \$275.

7-9. **Inspection of Commercial Vehicles in Accidents.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$300.

7-9. **Becoming a High-Performance Supervisor.** Presented by the International Association of Chiefs of Police. To be held in Denver. Fee: \$350 (IACP members); \$400 (non-members).

7-9. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Washington, D.C. Fee: \$495.

7-9. **Chemical Weapons Instructors' Course.** Presented by Aerko International.

To be held in Fort Lauderdale, Fla. Fee: \$160.

7-9. **Expert Systems in Law Enforcement.** Presented by the National Criminal Justice Computer Laboratory & Training Center. To be held in Washington, D.C.

7-10. **VIP Protection.** Presented by Executech Internationale Corp. Fee: \$575.

7-11. **Narcotic Identification & Investigation.** Presented by the Institute of Police Technology & Management. Fee: \$375.

7-11. **Locks & Locking Devices I.** Presented by the National Intelligence Academy. To be held in Fort Lauderdale, Fla. Fee: \$650.

7-11. **Advanced Traffic Accident Reconstruction with Microcomputers.** Presented by the Institute of Police Technology & Management. Fee: \$595.

7-11. **Symposium for School Resource Officers.** Presented by the Institute of Police Technology & Management. Fee: \$376.

8. **6th Annual National Night Out.** Sponsored by the National Association of Police Watch. To be held in cities and towns nationwide.

8-9. **Fire & Arson Investigation.** Presented by the University of Delaware. Fee: \$275.

9-11. **Innovative Approaches to the Public Information Process.** Presented by the International Association of Chiefs of Police. To be held in Washington, D.C. Fee: \$350 (IACP members); \$400 (non-members).

9-11. **Commercial Vehicle Accident Investigation.** Presented by the Institute of Police Technology & Management. Fee: \$300.

14-15. **Police Handling of Stress.** Presented by the University of Delaware. Fee: \$275.

14-15. **Drugs & Narcotics Investigation.** Presented by the University of Delaware. To be held in Florence, S.C. Fee: \$300.

14-16. **Security Management.** Presented by the Traffic Institute. To be held in Evanston, Ill. Fee: \$460.

14-16. **Inspection of Commercial Vehicles in Accidents.** Presented by the Institute of Police Technology & Management. To be held in Tallahassee, Fla. Fee: \$300.

14-17. **The LSI Course on Scientific Content Analysis.** Presented by the Laboratory for Scientific Interrogation. To be held in Denver. Fee: \$600.

14-18. **Tactical Techniques for Drug Enforcement.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$475.

14-18. **Advanced Supervision Skills.** Presented by the International Association of Chiefs of Police. To be held in Denver. Fee: \$460 (IACP members); \$600 (non-members).

14-18. **Investigation of Pedestrian Accidents & Human Factors.** Presented by the Institute of Police Technology & Management. Fee: \$376.

14-18. **Locks & Locking Devices II.** Presented by the National Intelligence Academy. Fee: \$660.

14-26. **At-Scene Traffic Accident/Traffic Homicide Investigation.** Presented by the Institute of Police Technology & Management. To be held in Miami. Fee: \$626.

16-17. **Drug Interdiction.** Presented by the University of Delaware. To be held in Florence, S.C. Fee: \$300.

16-17. **Chemical Munitions & Riot Agents.** Presented by Executech Internationale Corp. To be held in Washington, D.C. Fee: \$275.

17-20. **Workshop for Recently Appointed Chiefs.** Presented by the International Association of Chiefs of Police. To be held in Niagara Falls, N.Y. Fee: \$400 (IACP member); \$450 (non-member).

21-22. **Public Safety Radio Dispatchers' Seminar.** Presented by the University of Delaware. To be held in Binghamton, N.Y. Fee: \$276.

21-22. **Interviewing the Sexually Assaulted or Abused Child.** Presented by the University of Delaware. To be held in Wilmington, Del. Fee: \$300.

21-23. **Police Records Management.** Presented by the International Association of Chiefs of Police. To be held in Reno, Nev. Fee: \$360 (IACP member); \$400 (non-member).

21-23. **Understanding Body Movement in the Interview/Interrogation Process.** Presented by the University of Delaware. To be held in Mount Lebanon, Pa. Fee: \$400.

21-23. **Police Computer Applications.** Presented by the University of Delaware. To be held in Newark, Del. Fee: \$576.

21-24. **The LSI Course on Scientific Content Analysis.** Presented by the Laboratory for Scientific Interrogation. To be held in Los Angeles. Fee: \$600.

21-25. **Field Training Officers' Seminar.** Presented by the Institute of Police Technology & Management. To be held in Nashville, Tenn. Fee: \$376.

Pursuit driving: policing's ongoing ethical dilemma

Continued from Page 6

hibited, unless such actions are specifically authorized by the commanding officer or the field supervisor. Such actions may be approved only when the use of deadly force would be authorized. Reckless or hazardous driving maneuvers shall not be duplicated by a pursuing vehicle" (IACP, 1987).

This seems the most practical policy to prevent personal injury or property damage. Thus, when the decision is made to pursue, an officer must use the utmost care in continuing the pursuit and terminate the chase when the risk outweighs the benefit of continuing.

Society wants police to apprehend criminals so that citizens may be safe. However, society also wants to be safe from uncontrolled police vehicles speeding around town. Once administrators have established policy to make pursuits as safe as possible, the officer or supervisor must decide when the level of danger created by the pursuit outweighs the necessity of immediate ap-

prehension. It is at that point that the pursuit must end.

Society will accept only that danger which does the most good for the most people. This is the dilemma facing all police departments.

Herbert Whetsell is a lieutenant with the Charleston, S.C., Police Department.

References

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- International Association of Chiefs of Police. "Emergency Vehicle Operation - Hot Pursuit." May 1987.
- Koonz, Joseph H. Jr. and Patrick M. Regan. "Hot Pursuit: Proving Police Negligence." *Trial*, 21:12, December 1985, pp. 63-68.
- Silver, Isidore. *Police Civil Liability*. New York: Matthew Bender & Sons, 1987.

For further information:

Aerko International, 616 N.E. 34th St., Fort Lauderdale, FL 33334. (305) 565-8475.

American Society for Industrial Security, 1655 N. Fort Myer Dr., Suite 1200, Arlington, VA 22209. (703) 522-6800.

Broward Sheriff's Office, Organized Crime Centre, P.O. Box 2505, Fort Lauderdale, FL 33303. (305) 492-1810.

Criminal Justice Center Police Academy, Sam Houston State University, Box 2296, Huntsville, TX 77341-2296. (409) 294-1669, 70.

Delinquency Control Institute, Tyler Building, 3601 S. Flower St., Los Angeles, CA 90007. (213) 743-2497.

Executech Internationale Corporation, P.O. Box 365, Sterling, VA 22170. (703) 478-3595.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

International Association of Chiefs of Police, 1110 N. Glebe Rd., Suite 200, Arlington, VA 22201. (703) 243-6500.

International Association of Law En-

forcement Intelligence Analysts, Chapter II, P.O. Box 52-2392, Miami, FL 33152. (305) 470-5500, Attn: Ms. Emma E. Fern.

Richard W. Kobetz & Associates Ltd., Arcadia Manor, Rte. 2, Box 3646, Berryville, VA 22611. (703) 955-1128.

Laboratory for Scientific Interrogation, P.O. Box 17286, Phoenix, AZ 85011. (602) 279-3113.

Narcotics Control Technical Assistance Program, Institute for Law & Justice Inc., 1018 Duke St., Alexandria, VA 22314. 1-800-533-DRUG.

National Association of Fire Investigators, 20 E. Jackson Blvd., Chicago, IL 60604. (312) 427-6320.

National Association of Police Planners, Attn: Staff Sgt. Sam Fairclough, Planning & Development, Metropolitan Toronto Police Force, 40 College St., Toronto, Ontario M6G 1K2. (416) 324-6295.

National Association of Town Watch, P.O. Box 303, Wynnewood, PA 19096. 1-800-NITE-OUT.

National Crime Prevention Institute,

School of Justice Administration, University of Louisville, Louisville, KY 40292. (602) 688-6987.

National Criminal Justice Computer Laboratory & Training Center, Attn: Jim Zepp, 555 New Jersey Ave., N.W., Washington, DC 20001. (202) 638-4156.

National Intelligence Academy, 1300 N.W. 62nd St., Fort Lauderdale, FL 33309. (305) 776-6600.

John E. Reid & Associates Inc., 260 South Wacker Dr., Suite 1100, Chicago, IL 60606. (312) 876-1600.

SEARCH Group Inc., 926 Secret River Dr., Sacramento, CA 95831. (916) 392-2560.

Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (214) 690-2370.

Traffic Institute, 665 Clark St., P.O. Box 1409, Evanston, IL 60204. 1-800-323-4011.

University of Delaware, Attn: Jacob Haber, Law Enforcement Training Program, 2800 Pennsylvania Ave., Wilmington, DE 19806. (302) 573-4487.

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Hot pursuit: a crash course

Spurred by a flurry of grisly accidents, police pursuits of offenders great and small is undergoing fresh scrutiny. In a pair of articles, LEN looks at the ins and outs of policies and practices on pursuit driving and finds a nettlesome ethical dilemma that arises anew with each chase situation. **See Page 1.**

Also in this issue:

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